S. HRG. 104–376

NATIONAL AMERICAN INDIAN POLICY INFORMATION CENTER ACT OF 1995

Y 4. IN 2/11: S. HRG. 104-376

National American Indian Policy Inf...

HEARING

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

S. 1159

TO ESTABLISH AN AMERICAN INDIAN POLICY INFORMATION CENTER

NOVEMBER 7, 1995
WASHINGTON, DC

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CONTENTS

Page

S. 1159, text of 3

Statements:

Allen, Ron, cochair, National Indian Policy Center and chairman, Jamestown S'Klallam Tribe, Sequim, WA, and newly-elected president, National Council of American Indians 27

Blackwell, Charles, director, Native Affairs and Development Group and Chickasaw Nation Ambassador to the United States 39

Campbell, Hon. Ben Nighthorse, U.S. Senator from Colorado 22

Deer, Ada, Assistant Secretary for Indian Affairs, Department of the Interior 22

Gourd, Charles, senior administrative liaison, Cherokee Nation, Tahlequah, OK, on behalf of Joe Byrd, principle chief 35

Inouye, Hon. Daniel K., U.S. Senator from Hawaii, vice chairman, Committee on Indian Affairs 1

Kimble, Gary, Commissioner, Administration for Native Americans, Department of Health and Human Services, Washington, DC 24

Lucero, Alvino, Governor, Pueblo of Isleta, Isleta, NM 32

McCain, Hon. John, U.S. Senator from Arizona, chairman, Committee on Indian Affairs 1

Pecos, Regis, tribal council, Cochiti Pueblo, Cochiti, NM, on behalf of Roy Bernal, chairman, All Indian Pueblo Council, Albuquerque, NM 36

Sunchild, Sr., John, chairman, Chippewa Cree Tribe, Rocky Boy Reservation, Box Elder, MT 30

APPENDIX

Prepared statements:

Allen, Ron (with attachment) 57

Blackwell, Charles 52

Campbell, Hon. Ben Nighthorse, U.S. Senator from Colorado 43

Deer, Ada (with questions and responses) 44

Gourd, Charles (with letter) 51

Kimble, Gary (with attachment) 46

Lucero, Alvino 50

Sunchild, Sr., John 49

Thomas, Hon. Craig, U.S. Senator from Wyoming 43

Trachtenberg, Stephen Joel, president, George Washington University (with letter) 48

Additional material submitted for the record:

Letters: .....

Anderson, Marge, chief executive, Mille Lacs Band of Chippewa Indians .. 53

Chase, JoAnn K., executive director, National Congress of American Indians (with resolution) 73

Edmo, Lorraine P., executive director, National Indian Education Association (with resolution) 85

George, Keller, president, United South and Eastern Tribes, Inc. 55

Hale, Albert, president, Navajo Nation 76

Thomas, Mary V., Governor, Gila River Indian Community 82

Tullis, Eddie L., chairman, Poarch Creek Indians 56

Warner, Barbara A., executive director, Oklahoma Indian Affairs Commission 83

NATIONAL AMERICAN INDIAN POLICY INFORMATION CENTER ACT OF 1995

TUESDAY, NOVEMBER 7, 1995

U.S. SENATE,
COMMITTEE ON INDIAN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:06 a.m. in room 485, Russell Senate Office Building, Hon. John McCain [chairman of the committee] presiding.

Present: Senators McCain, Inouye, Gorton, and Campbell.

STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA, CHAIRMAN, COMMITTEE ON INDIAN AFFAIRS

The CHAIRMAN. Now I have to ask the distinguished vice chairman to assume the Chair and proceed with the hearing. I have a meeting of the Armed Services Committee to try and conclude the longest Armed Services Committee conference in the history of the Senate, and I apologize for having to leave, Mr. Vice Chairman, on this important issue.

Senator INOUYE [assuming Chair]. I thank you very much, Mr. Chairman.

STATEMENT OF HON. DANIEL K. INOUYE, U.S. SENATOR FROM HAWAII, VICE CHAIRMAN, COMMITTEE ON INDIAN AFFAIRS

Senator INOUYE. The committee meets this morning to consider S. 1159, a bill to establish an American Indian Policy Information Center.

When I assumed the chairmanship of this committee in January 1987, almost immediately I began requesting material on what I considered to be the most basic and fundamental facts about Indian country.

I soon found that there was very little information available, and certainly no comprehensive data, nor any centralized source of information on Indian country. This came as a remarkable surprise to me, for I could not imagine how a Federal Indian policy or law could be developed in absence of sound facts and reliable information on the conditions in Indian country.

I discussed this with the vice chairman of the committee, Senator Dan Evans of Washington, and we initiated an effort to gather this information. We sent out surveys to every tribal government, as well as to the Federal agencies with the responsibility for administering Federal Indian programs.

Unfortunately, at the end of this process, we had but a little more information. Each Federal agency was able to provide some discreet information as it related to the programs that they administered, but it was clear that there was no institutional capacity, either inside or outside the Government, that could provide the larger picture of Indian country.

There was, for instance, no data to guide us with regard to the manner in which access to health care or health status might relate to other statistics such as educational achievement or unemployment factors.

There was, as far as I know—there still is little to no data available on infrastructure in reservation communities.

We cannot be certain that tax incentives or economic empowerment zones might attract businesses or manufacturing concerns or other industries to locate on or near an Indian reservation if we cannot tell them whether there is access to an airport or railway transport or interstate highways close by.

We still do not have fully-reliable data that would enable us to understand the full impact in Indian country if food and nutrition and commodity food distribution programs are eliminated.

We know, through our own individual experience, that the economic conditions in Indian country can be linked to some of the most poverty-stricken Third World countries, but do we have the data, the kind of statistics that we have grown so accustomed to having in other areas available to us?

We did not have this data in 1987, and, sadly, we have very little more today to guide the formulation of Federal Indian policy and law, or to assess the potential impacts of proposals to reform welfare or job training or child care or Medicare or Medicaid.

And so the idea of a central clearinghouse of data and information on Indian country came into being, and legislation to authorize a feasibility study was enacted into law in the 101st Congress. That feasibility study was completed and recommendations submitted to the Congress in June 1992. Since that time, we have had two bills to authorize the establishment of the center passed by the Senate, but each of which failed to pass the House in the final days of the 102d and 103rd sessions of the Congress.

The bill which we consider this morning reflects the refinements made by Senator Craig Thomas when he served as ranking member of the Subcommittee on Native American Affairs in the House of Representatives.

No less important are the contributions that have been made by tribal leaders across the Nation to the thinking about how such a center should be shaped, the informational needs it should serve, and the restrictions on the dissemination of information that should be made explicit in Federal law.

And so today we meet to receive testimony on this measure from representatives of the executive branch of the Federal Government and from tribal leaders and representatives of Indian nations.

[Text of S. 1159 follows:]

II

104TH CONGRESS
1ST SESSION

S. 1159

To establish an American Indian Policy Information Center, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 10 (legislative day, JULY 10), 1995

Mr. INOUYE (for himself, Mr. SIMON, Mr. CAMPBELL, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

---

A BILL

To establish an American Indian Policy Information Center, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Indian Policy Information Center Act of 1995".

SEC. 2. FINDINGS.

The Congress finds that—

(a) in the development of Federal policy, Federal laws and regulations designed to address social and economic conditions in Indian country, Federal

agencies and the Congress have a continuing and expanding need for information with regard to the social and economic status of Indian reservation communities;

(b) there is no existing centralized source of information on the social and economic conditions in Indian country from which agencies of the Federal Government and the Congress could gather data that would better inform the development of Federal Indian policy, Federal laws and regulations;

(c) consistent with the Federal policies of Indian self-determination and tribal self-governance, tribal governments are to be involved in the development of Federal Indian law and policy;

(d) there is no existing centralized source of information from which tribal governments could gather data that would better inform tribal government participation in the development of Federal Indian law and policy;

(e) tribal governments can more effectively govern and improve life opportunities for the citizens of their communities if they have access to the fullest range of information and analyses that can facilitate the development of tribal laws and tribal government programs;

(f) as the trustee for Indian lands and resources, the United States has an obligation to ensure that thorough and comprehensive information and analyses are available to tribal governments to assure the effective management of Indian lands and resources, as well as to effectively address prospective Federal executive branch actions or pending legislation that will affect tribal lands and resources;

(g) as the trustee for Indian lands and resources, the United States has an obligation to provide itself with such information and analyses as are required for sound decisionmaking; and

(h) an independent, nonpartisan institution should be established in order to address the information, data, research, and policy analysis needs of the agencies of the Federal Government, the Congress, and tribal governments.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term "Board" means the Board of Directors of the Center established under section 7 of this Act;

(2) the term "Director" means the Director of the Center appointed under section 9 of this Act;

(3) the term "Indian" means any individual who is a member of an Indian tribe;

(4) the term "Indian tribe" means any tribe, band, nation, or other organized group or community of Indians including any Alaska Native village which is recognized by the United States as eligible for special programs and services provided by the United States to Indians because of their status as Indians;

(5) the term "Center" means the American Indian Policy Information Center established under section 4 of this Act;

(6) the term "Secretary" means the Secretary of the United States Department of Health and Human Services; and

(7) the term "tribal government" means the governing body of an Indian tribe.

SEC. 4. ESTABLISHMENT OF CENTER.

(a) IN GENERAL.—There is authorized to be established a federally chartered corporation to be known as the American Indian Policy Information Center, which shall be governed by the Board of Directors established under section 7 of this Act.

(b) SUCCESSION AND AMENDMENT OF CHARTER.—Subject to the review provided for in subsection (c), the

Center shall have succession until dissolved by an Act of the Congress.

(c) REVIEW.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) review the activities and performance of the Center to determine whether legislation is required to amend this Act in order to ensure the appropriate operation of the Center; and

(B) submit a report to the Committee on Indian Affairs of the United States Senate and to the Subcommittee on Native American and Insular Affairs of the Committee on Resources of the United States House of Representatives containing specific findings and recommendations for amendment of this Act.

(2) TRIBAL CONSULTATION.—In carrying out such review and preparing such report, the Comptroller General shall undertake consultation with tribal governments.

SEC. 5. FUNCTIONS.

(a) DATA, INFORMATION, AND RESEARCH CLEARINGHOUSE.—

(1) IN GENERAL.—

(A) The Center shall establish and administer a clearinghouse of data, information, and research relevant to the needs of the agencies of the Federal Government, the Congress, and tribal governments for such data, information, and research, and shall give emphasis to the identification and collection of materials not otherwise readily available to such governments. In administering this function, the Center shall engage in outreach to other information and research organizations, Indian and Alaska Native organizations, Federal and State agencies, and colleges and universities, both in search of information and to provide assistance to such organizations.

(B) The Center shall periodically advise agencies of the Federal Government, the Congress, tribal governments, and tribal organizations of new information or research products, and shall provide such materials to them upon request. The Center is authorized to require other requesters of information to pay minimal fees for such materials.

(C) The Center shall also establish an electronic database of information.

(D) RESTRICTIONS.—

(i) A tribal government may impose any condition, limitation, or other restriction on the use or dissemination of any information or other data made available by such tribal government to the Center pursuant to this Act.

(ii) The use or dissemination of any information or other data made available by a tribal government to the Center pursuant to this Act shall be subject to any condition, limitation, or other restriction on the use or dissemination of any information or other data made available by such tribal government to the Center pursuant to this Act.

(b) RESEARCH AND ANALYSIS.—

(1) IN GENERAL.—The Center is authorized to conduct or commission research and analyses to be carried out in accordance with the highest standards of scholarship and independence.

(2) CRITERIA AND PROCEDURES.—The Center shall adopt criteria and procedures to guide the selection of research projects consistent with the provisions of section 7(d)(4) of this Act.

(c) FORUMS AND SYMPOSIA.—The Center is authorized to conduct or sponsor forums and symposia to explore emerging Federal Indian law or policy issues, to clarify options on specific issues as they relate to the development of Federal Indian law or policy, and to identify needs for data, information, or analyses.

(d) ANNUAL REPORT.—

(1) The Center shall prepare and publish an annual report to the Secretary which summarizes the activities of the Center during the preceding year.

(2) The annual report shall be available to agencies of the Federal Government, the Congress, tribal governments and tribal organizations, and the public.

SEC. 6. GENERAL POWERS AND AUTHORITIES OF THE CENTER.

(a) POWERS AND AUTHORITIES OF THE CENTER.—In carrying out this Act, the Center shall have the following powers and authorities, consistent with the provisions of this Act—

(1) to adopt, use, and alter a corporate seal;

(2) subject to the availability of funds, to make agreements and contracts with agencies of the Federal Government, the Congress, tribal governments,

tribal organizations, private or other governmental entities, and persons, and to make payments or advance payments under such agreements or contracts without regard to the provisions of section 3324 of title 31, United States Code;

(3) on a reimbursable basis, to make use of services, facilities, and property of any board, commission, independent or executive agency, or department of the Federal Government in carrying out the provisions of this Act;

(4) to solicit, accept, and dispose of gifts, bequests, devises of funds, securities, and other properties of any character, for the benefit of the Center;

(5) to receive grants from, and subject to the availability of funds, enter into contracts and other arrangements with Federal, State, tribal, or local governments, public and private agencies, organizations, institutions, and individuals;

(6) to acquire, hold, maintain, use, operate, and dispose of such real property, including improvements thereon, personal property, equipment, and other items, as may be necessary to enable the Center to carry out the Center's responsibilities under this Act;

(7) to obtain insurance or make other provisions against losses;

(8) to use any funds or property received by the Center to carry out the Center's responsibilities under this Act, except that any non-Federal funds received by, or under the control of the Center shall be accounted for separately from Federal funds; and

(9) to exercise all other lawful powers and authorities necessarily or reasonably related to the establishment of the Center in order to carry out the Center's responsibilities under this Act.

SEC. 7. BOARD OF DIRECTORS.

(a) COMPOSITION.—

(1) The Board of Directors of the Center shall consist of 15 members appointed by the Secretary, and shall include—

(A) one representative of a tribal government from each of the twelve areas served by the Bureau of Indian Affairs in 1994;

(B) two members chosen from among individuals who have expertise in Federal Indian law or policy or statistical analysis as evidenced by academic or professional credentials; and

(C) one member designated by the president of the host institution.

(2) In making appointments under subparagraphs (1) (A) and (B), the Secretary shall—

(A) consult with Indian tribal governments; and

(B) solicit recommendations from Indian public policy specialists, Indian tribal governments, tribally controlled colleges, tribal organizations, academic institutions, and public officials with expertise in Federal Indian policy or statistical analysis.

(b) TERMS OF OFFICE.—

(1) Except as otherwise provided in this section, each of the members of the Board of Directors appointed pursuant to subparagraph (a)(1)(A) shall be appointed for a term of office of three years.

(2) Of the initial members of the Board of Directors appointed under subparagraph (a)(1)(A), four members shall be appointed for a term of office of one year, four members shall be appointed for a term of office of two years, and four members shall be appointed for a term of office of three years.

(3) Except as otherwise provided in this section, each of the members appointed pursuant to subparagraphs (a)(1) (B) and (C) shall be appointed for a term of office of two years.

(4) Of the initial members of the Board of Directors appointed under subparagraph (a)(1)(B), one member shall be appointed for a term of office of one year.

(5) No member may serve more than two consecutive terms, but may continue to serve until such member's successor is appointed.

(c) VACANCIES.—Any member of the Board of Directors appointed to fill a vacancy occurring before the expiration of the term to which such member's predecessor was appointed shall be appointed for the remainder of such term.

(d) POWERS OF THE BOARD OF DIRECTORS.—The Board is authorized and directed to—

(1) formulate policy for the Center and provide for its management;

(2) adopt such bylaws and rules as the Board deems necessary for the administration of its functions under this Act, including the organization and operating procedures of the Board;

(3) establish such committees, task forces, and working groups as the Board deems appropriate and necessary;

(4) establish a process for independent peer review of major research proposals submitted to the

Center based upon criteria as the Board may identify for specific projects.

(e) OFFICERS AND EXECUTIVE COMMITTEE.—The Board of Directors may elect such officers of the Board as the Board may deem appropriate and may establish an executive committee to be comprised of the officers of the Board and at least one at-large member selected by the Board from among its members. In accordance with the bylaws of the Center adopted by the Board, the members of the executive committee shall provide direction for the Board, and serve in lieu of the Board on matters requiring expeditious Board action, subject to review and action by the Board as the members of the Board may deem appropriate.

(f) COMPENSATION.—Members of the Board shall receive compensation at the rate of $125 per day, including travel time for each day they are engaged in the performance of their official duties. Each member of the Board, while serving away from his or her home or regular place of business, shall be allowed travel expenses, including per diem, in lieu of subsistence.

(g) INTERIM BOARD.—The Planning Committee appointed pursuant to section 11 of Public Law 101–301 and composed of those individuals serving on the date of enactment of this Act shall serve as the interim Board

until the appointments authorized in subsection (a)(1) of this section have been made. The service of the members of the interim Board shall terminate on the date on which all members authorized to be appointed under subsection (a)(1) of this section are appointed.

SEC. 8. DIRECTOR AND EMPLOYEES.

(a) DIRECTOR.—The Board shall appoint a Director of the Center. The Director may only be removed from office in accordance with the bylaws of the Center adopted by the Board.

(b) RESPONSIBILITY OF THE DIRECTOR.—Subject to the direction of the Board, the Director shall be responsible for carrying out the functions and responsibilities of the Center, and shall have authority over all personnel and activities of the Center.

(c) EMPLOYEES.—With the approval of the Board, the Director may appoint and fix the compensation and duties of such officers and employees as may be necessary for the efficient administration of the Center.

(d) PREFERENCE.—In implementing this section, the Board and the Director shall accord preference to Indians.

SEC. 9. LIMITATIONS ON THE CENTER.

(a) ADVOCACY.—The Center shall not engage in the advocacy of public policy alternatives, represent itself as the voice of tribal governments, or take other actions that

could be construed as interfering with the government-to-government relationship between tribal governments and the United States.

(b) POLITICAL ACTION.—The Center shall not contribute to, or otherwise support, any political party or candidate for elective public office, including tribal government office.

(c) TREATMENT OF INCOME AND ASSETS.—No part of the income or assets of the Center shall inure to the benefit of any member of the Board of Directors, or any director, employee, or other individuals associated with the Center, except as salary or reasonable compensation for services.

SEC. 10. TRANSFER OF FUNCTIONS AND ADMINISTRATION TO THE CENTER.

(a) TRANSFER OF FUNCTIONS.—The functions set forth in section 11 of Public Law 101–301 relating to the National Center of Native American Studies and Indian Policy Development, and section 816(e) of the Native American Programs Act of 1974 (42 U.S.C. 2992d(e)) are authorized to be transferred to the Center, and the Center shall thereafter perform any and all such functions.

(b) GRANT.—

(1) IN GENERAL.—Subject to the availability of appropriations, not later than 30 days after the date

on which an appropriation for a grant under this subsection is made available, the Secretary of Health and Human Services shall award a grant to the Center to carry out all activities of the Center and to enable the Center to provide such management, technical and support assistance as may be reasonable or necessary to operate the Center, including audit, accounting, computer services and building and maintenance services.

(2) AUTOMATIC RENEWAL.—Subject to the availability of appropriations, the grant shall be renewed automatically and awarded on an annual basis until such time as the Congress may otherwise provide.

SEC. 11. RELATIONSHIP WITH TRIBAL COLLEGES AND OTHER RESEARCH ORGANIZATIONS.

(a) CONTRACTS AND AGREEMENTS.—Pursuant to the direction of, and in consultation with the Board, the Director may enter into contracts, memoranda of understanding and agreements with—

(1) tribally controlled community colleges as defined by section 2(a)(4) of the Tribally Controlled Community College Assistance Act of 1978 (U.S.C. 1801(a)(4));

(2) the United Tribes Technical College, Southwest Indian Polytechnic Institute, Haskell Indian Junior College, and Crownpoint Institute of Technology; or

(3) other research institutions for the purpose of conducting research, developing issue papers, or assisting the Center in carrying out the responsibilities of the Center under this Act.

(b) SPECIAL CONSIDERATION.—In entering into contracts for research under this section, the Director may give special consideration to institutions or individuals that have successfully conducted research in cooperation with tribal governments and tribal organizations.

(c) FACILITIES AND TECHNICAL SERVICES.—

(1) GEORGE WASHINGTON UNIVERSITY.—The Board shall enter into an agreement with the George Washington University to obtain facilities and technical services for a period not to exceed two years beginning on the first day of the first fiscal year for which funds are appropriated to carry out this Act.

(2) OTHER ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.—The Board may enter into agreements with—

(A) the George Washington University;

(B) tribally controlled community colleges as defined by section 2(a)(4) of the Tribally Controlled Community College Assistance Act of 1978 (U.S.C. 1801(a)(4));

(C) the United Tribes Technical College, Southwest Indian Polytechnic Institute, Haskell Indian Junior College, and Crownpoint Institute of Technology;

(D) accredited institutions of higher education (as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)); or

(E) research institutions that have conducted research in cooperation with Indians;

to obtain facilities and technical services for any period after the expiration of the initial agreement with the George Washington University referred to in subparagraph (1).

(3) MATCHING FUND REQUIREMENT.—The George Washington University or other institution as set forth in subsection (2) of this section shall provide financial assistance to the Center as prescribed in section 803(b) of the Native American Programs Act of 1975, as amended (42 U.S.C. 2991b).

SEC. 12. BUDGET PROPOSAL.

The Board shall submit an operating budget proposal for the Center for fiscal year 1996, and each fiscal year thereafter, to the Secretary. The Secretary shall transmit such budget proposal, together with the budget proposal of the Department of Health and Human Services, to the President. The budget proposal of the Center shall be included in the annual budget request of the President submitted to the Congress pursuant to section 1108 of title 31, United States Code.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1996 through 2000 to carry out the provisions of this Act. Funds made available by appropriations pursuant to this section shall remain available without fiscal year limitation.

○

Senator INOUYE. Our first panel today consists of the assistant secretary for Indian Affairs within the Department of the Interior, Ada Deer; and the commissioner for the Administration for Native Americans in the Department of Health and Human Services, Gary Kimble.

Senator Campbell.

Senator CAMPBELL. Mr. Chairman, before this panel starts, I'd ask unanimous consent to submit a written statement for the record.

Senator INOUYE. Without objection, so ordered.

[Prepared statement of Senator Campbell appears in appendix.]

STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, U.S. SENATOR FROM COLORADO

Senator CAMPBELL. As a cosponsor of this legislation, I recognize the value of the American Indian Policy Information Center, whose mission is to foster the development of objective policy statements that reflect the views of Indian communities around the country.

All too often, the common concerns of Indian communities on common concerns such as energy, environment, education, and taxation are not adequately researched, nor quantified so as to show how beneficial it is to the non-Indian communities, the States, the Federal agencies, and the policymakers.

I think this legislation to create a policy information center will fulfill a need for a resource for information for Indian communities and other interested parties, and I look forward to the testimony.

Thank you, Mr. Chairman.

Senator INOUYE. Thank you very much, Senator.

May I now call upon Secretary Deer.

STATEMENT OF ADA E. DEER, ASSISTANT SECRETARY FOR INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

Ms. DEER. Senator Inouye, Senator Campbell, and other members of the committee, I'm pleased to be here to present the Department of the Interior's views on S. 1159, a bill to establish an American Indian Policy Information Center and for other purposes. We recognize the need in Indian country for a centralized source of information and data that would aid in developing Indian policy and providing information to tribes.

We support the enactment of S. 1159. This provides Indian country an opportunity to work together on all Indian issues by making available the information needed to make informed decisions that will impact the future of Native Americans.

The National Indian Policy Center was established in 1991 as a demonstration project at George Washington University under a cooperative agreement with the Administration for Native Americans. Based on the continuing need of the Congress, other Federal agencies, and Indian tribal governments for information and data, we're pleased to give our support to making this a permanent American Indian Policy Information Center.

Each time I visit Indian country, I'm amazed by the creativity and resilience of our communities. In the face of conditions that would bring most municipal and county managers to their knees, our tribal leaders conduct the daily affairs of government. Our com-

munities lack adequate housing, roads, health care, emergency services, running water, and sewer systems. Many remain without adequate electric power. Despite these conditions, educating our children has always been a top priority. We must continue to move forward and build on the progress being made. In the last decade, we ensured that Indian children in 187 Bureau-funded elementary and secondary schools on 62 reservations in 23 States would have the opportunity to become full participants in the information age. The Educational Native American Network, ENAN, was the first national educational electronic network involving American Indian and Alaska Native students and schools. It offers them the opportunity to go on-line and communicate with their peers, libraries, and other information resources. It now provides a bulletin board dedicated to the students, which includes an on-line counselling service. ENAN has become invaluable to our teachers. Despite the isolation of the communities in which they work, they can seek resources and converse with other professionals to develop curricula and improve school programs.

Many tribes have entered the information age. Recently, the Pueblo of Laguna received funding for four directions, an indigenous education model funded by the National Science Foundation. Working with private groups such as Intel, Microsoft, and Sandia Laboratories, eight Bureau-funded schools will be linked together to bring resources of national research centers, libraries, and repositories to these students.

As innovative as these projects are, there remains an information vacuum in much of Indian country. For many tribes this void has been filled by the National Indian Policy Center. At present, the center disseminates by facsimile and mail information on pending legislation, policy, funding opportunities, and research to tribes and tribal organizations. The center provides a service which is critical to tribes that cannot afford full-time attorneys or lobbyists to monitor Congressional activity, that suffer interminable delays in mail delivery, and that have unreliable or nonexistent availability to utility services such as reliable electricity and telephone service.

Until the technology is developed that links isolated tribal communities to the resources so readily available to the general public, tribes must have timely access to the information necessary to good decisionmaking. One cannot argue that the dissemination of timely information is unnecessary or a luxury in this time of limited funding. On the contrary, we strongly support the availability of a clearinghouse that makes data, information, and research available to tribes without charge. The National Indian Policy Center has proven its worth as a demonstration project, and we support its continuation as the American Indian Policy Information Center. I'm excited by the possibilities for the ongoing work of the center once its future is more assured after the enactment of S. 1159. The current policy center solicits tribal advice on needs for data, information, and analyses. I would love to see a formalized process of conducting annual needs assessments among the tribes. Also, the center has conducted forums on various American Indian and Alaska Native issues. We believe the center must continue with that important activity as long as the topics for the forums are tribally driven. For tribes to be prepared for the 21st century, we need vi-

sionary planning and policy development. Too often, our responses continue to be reactionary in nature. The center could make an important contribution in this area.

In a climate of dwindling material resources, we must be prepared to share information, as the current center does, as well as expertise and human resources on a consistent basis. Tribes need more trained Indian researchers in every community. I would love to see the center engage in increased participatory research with tribes; participatory research generally implies the training and direct involvement of local community members. We want to leave skills and expertise behind that will benefit a tribe in addition to gathering information from them. I'm reminded of the adage about either giving fish to a man or a woman or teaching them to fish for themselves. I want our communities to be able to fish for themselves—in this case, to fish for information and data at the local level. Not only will we have passed on needed skills, but we will have created partners at the tribal level who will have a more direct relationship with the center than they might now have, and these new partners would continue an information exchange with the center, itself, thereby benefiting everyone.

One of our best avenues to work at the local level is through the tribal college network. We appreciate section 11 that includes a relationship with tribally controlled community colleges, United Tribes Technical College, Southwest Indian Polytechnic Institute, Haskell Indian Nations University, and the Crown Point Institute. Section 11 provides a unique position for them to assist the proposed center in almost any educational research endeavor. The center could offer fellowships to students and assist them in publishing their study results through the center, itself, and in professional journals, as well. Such activities would develop the capacities of local people and expand the base of researchers and research available to the center.

We would also like to see a strengthened relationship between the Bureau of Indian Affairs and the center. Both entities engage daily in policy development and research that directly impact tribes. I would like to explore ways to improve our mutual information sharing and dissemination responsibilities and to co-host roundtables, think tank sessions, or other forums.

This concludes my prepared statement. I'll be happy to address further comments or questions, and I'd like to commend your leadership in bringing about this demonstration project, Senator Inouye.

[Prepared statement of Ms. Deer appears in appendix.]

Senator INOUYE. Madam Secretary, I thank you very much.

May I now call upon the commissioner, Commissioner Kimble.

STATEMENT OF GARY KIMBLE, COMMISSIONER, ADMINISTRATION FOR NATIVE AMERICANS, DEPARTMENT OF HEALTH AND HUMAN SERVICES, WASHINGTON, DC

Mr. KIMBLE. Vice Chairman Inouye, Senator Ben Nighthorse Campbell, it is my pleasure to come today before you to support S. 1159, a bill that would establish an American Indian Policy Information Center.

This center would serve as a data, information, and research clearinghouse for Government and tribal needs; however, the Administration support for S. 1159 is contingent on the deletion of section 12, which establishes special budget procedures for the center. The center should be subject to the normal budget procedures of the Department of Health and Human Services in the executive branch.

The Administration and I personally appreciate your deep and longstanding commitment to addressing the critical issues that confront tribes and Native American communities, as well as to help Indian people achieve their social, economic, and governance objectives.

We in the Administration for Native Americans have worked diligently to further these goals within Indian country. ANA is a relatively small agency with a big mission. The impact of ANA philosophy on policies is visible and viable in Native American communities across the country.

ANA serves over 550 federally-recognized tribes, including over 220 Alaska Native tribal governments, about 60 tribes that are State recognized or seeking Federal recognition, Indian and Alaska Native organizations, Native Hawaiian communities, and Native populations throughout the Pacific basin.

Our philosophy is to respect the right of self-determination and self-governance of all tribes and Native American communities and organizations. Within this context, ANA assistance enables them to development their own strategies so Native American communities can move toward social and economic self-sufficiency.

One element of ANA's efforts in this area over the past few years has been the foundation of a national Native American Policy Development Center. In response to language in the Senate reports on labor, health, and human services appropriation bills for fiscal years 1991 through 1994, ANA has financed nearly $4 million in planning grants for the National Center for Native American Studies and policy development through a cooperative agreement with George Washington University.

The center at GW has produced and disseminated a variety of documents that educate, inform, and enlighten individual Native Americans, tribal governments, tribal organizations, educators, researchers, and the public at large. The information is sent by fax or mail weekly to tribal governments and other tribal entities.

Among the documents are: Information memoranda on national policy issues; Indian-related court decisions, Federal rulemaking, and publications of germane Indian interest; research reports announcing availability of recent publications produced by other institutes, agencies, and organizations; news releases on coming events, announcements; related congressional hearings and conferences within Indian country pertinent to Indian policy issues; and information to the various levels of government, Federal agencies, and other institutions, State commissions, and public at large.

Under S. 1159, these activities could continue and expand, including making the American Indian Policy Information Center a national clearinghouse for Indian-related materials and information benefiting Native Americans and helping to educate a wide array of other interested parties.

I appreciate this opportunity to discuss the benefits of the American Indian Policy Information Center, and I'd be happy to answer any questions, Senator Inouye.

[Prepared statement of Mr. Kimble appears in appendix.]

Senator INOUYE. Thank you very much, Mr. Kimble.

As I indicated in my opening statement, when I assumed the chairmanship in 1987 I made certain assumptions, and one of the assumptions was that facts were readily available, and such is not the case, even at this moment.

As a result, throughout these decades, policy on Federal Indian relationship has oftentimes been based upon assumptions, biases, and prejudices, and these are translated as facts.

Many of my colleagues have asked the same question I have—how come no information?—because they assume that every agency, every department has some procedure or some sub-agency that collects information.

For example, if I should call up the Department of Veterans' Affairs, I can give them a name, they'll tell me the person's date of birth, his ethnic background, his address, and his physical condition at the present time. I can do that in many other—if I call up HUD they'll tell me about the housing situation in the United States, more specifically in certain cities or villages or townships. But apparently this is not available in the Department of Interior or Health and Human Services; is that correct?

Mr. KIMBLE. Yes; the Inter-Departmental Council, Senator Inouye, of course, is attempting to develop for internal purposes, for our yearly report to you, our database and a report that reflects the conditions of Indian country.

Senator INOUYE. My question is necessary because I will have to respond to my colleagues not on assumptions; I want to be able to tell them, "Yes, we do have information, so therefore this bill is unnecessary," or, "We don't have information, therefore this bill is necessary."

Is this bill necessary?

Mr. KIMBLE. Yes; I was sort of taking the long way around, if you will bear with me 1 minute.

When we were developing our report and we were trying to come up with an outline, it was very clear to us that we didn't have the information that we needed in order to really get an overview and a profile of Native Americans. I've been convinced that the policy center is a vital organization, not only for those of us at Health and Human Services, but throughout the Federal Government and, as important, of course, to be used by the tribes in developing their strategies for economic and social development. So absolutely, absolutely.

It has been—you know, Senator Inouye, it has been one of the great deficiencies, I think, as commissioner that I'm required to come up with a profile for Native Americans, what their conditions are, and we've really had to struggle to get pertinent information.

It's a two-fold problem, Senator Inouye: No. 1, to locate the information; and then to put it into such a form that we can make our reports.

It was real clear to me, as I started that task, that the information center would play a vital role in that.

Ms. DEER. Senator Inouye, I would strongly support the establishment and the continuity of this center.

In my many years of work in Indian affairs, it has always been a great frustration not having accurate information available, and it's a great disappointment to see that the BIA does not have the resources to really gather accurate data and to make information available to the tribes, as well as to the Congress and the public.

I feel, if we are going to make progress for the 21st century, we need an accurate information base on which to make all of our decisions.

Senator INOUYE. Ms. Deer, may I ask a question for clarification purposes? My notes say that you indicated that both BIA and the policy center engage daily in policy development. Did I hear correctly? My understanding is that the center does not engage in policy development. If that were so, I would think that the Indian tribes would oppose the center. It should be Indian tribes that would be involved in development of policy.

Is it your understanding that the center is involved in policy development?

Ms. DEER. Well, let me say I know that there is communication between the center and various people on our staff. I would assume there would be discussions regarding policy issues. I'm not sure about complete policy development, because I agree with you that it should be in consultation with the tribes.

Senator INOUYE. Well, I thank you very much, Ms. Deer and Mr. Kimble.

Senator Campbell.

Senator CAMPBELL. No questions, Mr. Chairman.

Senator INOUYE. Thank you very much.

On panel number two we have the president of the George Washington University, Dr. Stephen Trachtenberg, who was supposed to be the first witness, but we have just been advised that he has an emergency, and so, without objection, his statement will be made part of the record.

[Prepared statement of Mr. Trachtenberg appears in appendix.]

Senator INOUYE. It is now my great pleasure and honor to call upon the cochair of the National Indian Policy Center and chairman of the Jamestown S'Klallam Tribe of Washington, and the newly-elected president of the National Congress of American Indians, Ron Allen.

Congratulations, sir.

STATEMENT OF RON ALLEN, COCHAIR, NATIONAL INDIAN POLICY CENTER AND, CHAIRMAN, JAMESTOWN S'KLALLAM TRIBE, SEQUIM, WA, AND NEWLY-ELECTED PRESIDENT OF THE NATIONAL COUNCIL OF AMERICAN INDIANS [NCAI]

Mr. ALLEN. Thank you, Mr. Chairman.

I appreciate the opportunity to be here and testify before you on this proposed legislation to enact the American Indian Policy Research Center.

As you know, I have been cochairing this Planning Committee now for the last 4 years. As a tribal chairman actively involved in the development of policy for Indian affairs, it has been an exciting challenge for me to help to contribute to this effort.

I am here today on behalf of our Planning Committee to persuade you to advance this legislation as an essentially-needed piece of legislation to establish this institute for the benefit of the tribes, the Congress, the Administration, the States, and all other political entities that interact with the tribes.

In my opinion, I feel that the tribes' greatest threat today is ignorance. If the Congress or other political entities want to pursue legislation or policy or regulations managing Indian affairs, the issue to me is: Do they understand the facts? Do they understand the ramifications of any kind of legislation or any kind of policy that affects us?

It wouldn't matter whether you're dealing with such highly-visible issues like gaming, or whether you go into areas that seem to have low visibility like the health status of our people or the veterans' services or the housing services or environmental protective measures and those kinds of activities.

The question becomes: Who understands what the conditions are? What is the status of the tribal reservations?

Even if you go off the reservation, if you're dealing with services that are providing assistance to Indians that live in urban ares, what is the status of those Indians in those areas?

As you have already observed in your testimony and in questions and in comments that have been made by Ada Deer and Gary Kimble, there is not a great data source out there. There is not a clearinghouse that can be utilized that people can focus in on what is the status of these conditions or these issues.

Congress has clearly made it a goal that tribes would pursue our own notion of self-governance, of self-determination, and enable us to have the capacity and capability to become self-sufficient and to care for our own affairs and a future and a welfare of our people.

So, in our judgment, a research center such as we are proposing is going to be essential, because this information is going to be needed to be accessed so that all parties who are going to be involved in the shaping of future legislation can be done in a way that is knowledgeable, comprehensive, reliable, and that we can have confidence that it is a clear basis for future legislation, policy, and regulations.

We are always threatened by any kind of encroachment or erosion of our sovereignty. We are always threatened, very concerned and deeply heartfelt over any encroachment or erosion of our jurisdiction so that we can control our affairs of our people and manage our reservations and manage the affairs on our reservations.

We are concerned when there are legislative or policy avocations for self-sufficiency, but then all of the sudden proposals surface in terms of taxing what little resources tribes have.

Few people, I think, in the Congress and in this administration and in past administrations who deal with Indian affairs understand the economic and social conditions in Indian communities. They don't understand what the condition is of our roads or the infrastructure, the sewage systems, or the water conditions or water capacities and capabilities are, whether or not we are able to generate businesses to create jobs.

Few people understand the crises and the obstacles that we have to face in order to provide better services.

Few people understand how long the line is of acquiring Federal resources to build health clinic facilities or to handle detention centers for our enforcement and court systems. People don't understand that our court systems, alone, in order to elevate them to the quality to which they should be developed to be commensurate with State and Federal court systems to interact effectively and responsibly, that those resources are seriously under-funded, or the conditions or the education of the personnel and manning those operations are insufficient.

Congress doesn't know enough facts about those kinds of conditions.

Tribes are also concerned about property rights. We have property rights, too. Sometimes you get caught up in property rights around Indians. Are we affecting the States? Are we affecting the local governments? Are we affecting the non-Indians who live on the reservation?

But we need to put it in a proper perspective. What about the property rights of the Indian people who have established agreements with the United States about how we are going to live in perpetuity through commitments that have been recognized in treaties and statutes and Executive orders?

We need to make sure that all property rights are identified and recognized.

There is a need for data on: what is the educational status of our people? What is the level of our dropout rate? What is the problem we're facing in keeping our kids in school? What is the new threat of gangs that infiltrate into our communities, undermining our community standards and safety? Those are all issues that are important to us.

Our project is proposing to be a hub where we would utilize all the resources that are out in Indian country. As we well know, there are a lot of inter-tribal organizations that provide specific services and assistance on areas such as timber or fish or minerals or education or housing, and the policy center can certainly complement them in a way that policymakers—if they were to look for it, they don't have to hunt to find out what organization or what entity would have that information.

Here is a hub, here is a source where we can get that kind of data so they would review the information that is necessary that would affect an issue that they're addressing, whether it is health, whether it is natural resources, et cetera.

We are also very concerned about the protection of our legal rights as governments, our legal rights from the treaties, the commitments, the trust responsibilities, et cetera., and what is the current standing, what are the current litigation issues that are out there, so that they would have a source for that kind of information.

I think that it would still be useful to continue to remind the Congress and all those who are concerned about this policy about Felix Cohen's well-quoted quote where he made the comment that "it is a pity that so many Americans today think of the Indians as romantic and comic figures in American history without contemporary significance. In fact, the Indians play much the same role in our American society that the Jews played in Germany."

He concluded by saying,

Like the miners' canary, the Indian marks the shift from fresh air to poisonous gas in our political atmosphere, and our treatment of Indians, even more than our treatment of other minorities, reflects the rise and fall of our democratic faith.

So, Mr. Chairman, we urge you to advance this legislation, to assist us in making it a reality, so that we can continue to build so that we can work with the American political system in a way that is thoughtful, that is respectful, and that helps Indian people advance our cause for the welfare of our people.

I thank you for the opportunity to be here, and I stand ready and willing to answer any questions you may have of me.

[Prepared statement of Mr. Allen appears in appendix.]

Senator INOUYE. Thank you very much, President Allen.

I presume you're speaking as the newly-elected president of NCAI, also?

Mr. ALLEN. Yes, I am.

Senator INOUYE. Your statement is that oftentimes important legislation would be based upon misinformation or assumptions that are false.

Mr. ALLEN. Yes.

Senator INOUYE. I've been told, for example, that the census also takes information from Indian country, but I've been advised that the information that the census takes is inadequate because, first, of the remoteness of reservation communities. There are certain language barriers. Many Indians don't understand English, and there are not too many census takers who would understand the 50 different Indian languages. There are also cultural barriers. Some Indians feel that certain information should be kept private and confidential and don't have the real understanding of what census-taking is all about. And, obviously, there is no door-to-door census-taking in certain areas. And most Indians have no mailing addresses—they have Post Office boxes—so census questionnaires are not sent to every household.

Would that be a correct description of what census-taking is all about?

Mr. ALLEN. That is a correct description of how they are trying to assess the current conditions of Indian country today through the Department of Census. Yes.

Senator INOUYE. In other words, information from the Census Bureau would be inadequate, at best, and woefully inadequate?

Mr. ALLEN. Yes; that's correct.

Senator INOUYE. I thank you very much, Mr. Allen.

Mr. ALLEN. Thank you, Senator.

Senator INOUYE. And now may I call upon the chairman of the Chippewa Cree Tribe of Rocky Boy Reservation in Montana, John Sunchild, Sr.; and the governor of the Pueblo of Isleta, Alvino Lucero.

Gentlemen, welcome. Chairman Sunchild, please proceed.

STATEMENT OF HON. SUNCHILD, SR., CHAIRMAN, CHIPPEWA CREE TRIBE OF ROCKY BOY RESERVATION, BOX ELDER, MT

Mr. SUNCHILD. Good morning.

[Remarks in Native tongue.]

Mr. SUNCHILD. Thank you, Mr. Lucero, for letting me start first.

Mr. Chairman, members of the committee, my name is John Sunchild, chairman of the Chippewa Cree Tribe of Rocky Boy, Montana, and I appreciate the opportunity to appear before you today to offer a few comments on S. 1159, a bill to establish an American Indian Policy Information Center.

Mr. Chairman, last week in San Diego, California, the 52d annual convention of the National Congress of American Indians convened, with 182 member tribes and 348 delegates. Tribal leaders fully understood that, due to the importance of pending Congressional actions, members of this committee were unable to attend, but I do recall Vice Chairman Daniel K. Inouye at the 51st annual convention center before the start of the 104th Congress. He stated that the tribes would have to acquaint the new Members of the Congress with the problems of Indian country, with the complexities of our trust relationships, with our national government, and with the dismal and tragic history of our Nation's treatment of Native Americans. Tribal leaders simply could not assume that all new Members were sufficiently knowledgeable of our history and our current situation. We would have our jobs cut out for us.

Unfortunately, Mr. Chairman, nothing would have prepared us for the full challenge which now faces us.

As I reviewed a section-by-section analysis of S. 1159, section 2, findings, clearly stood out as I recalled the tribal efforts over the past several months to restore Federal funding for Indian programs.

Some Members of Congress have maintained that Indians were just complaining and that there was no real difference between Indian tribes and other groups who were impacted by the budget cuts.

With respect to Indian issues, many new Members of Congress are simply uninformed or misinformed and regard Indians just as another minority or a special interest group. They really have no understanding of the historic and contemporary relevance of Indian treaties, nor of the fact that Federal funds must be appropriated in order to fulfill the Federal Government's trust responsibilities to Indian tribes.

Many don't know that, for the most part, Indian tribes are the principal governments in Indian country, and that if the tribal governments are not able to provide essential services to their people, no other government will step in to fill the void.

While they may not know very much about Indian country or Indian tribes, many have heard that the Bureau of Indian Affairs is a wasteful, inefficient Federal agency, and they are surprised that Indians oppose cutting the BIA's budget.

Yes, Mr. Chairman; we tribal leaders have our work cut out for us.

The 15-member board that shall be created by this legislation is of significant importance to Indian tribes, and I strongly feel that the tribal leaders that are to be appointed must be elected officials of a federally-recognized tribe.

Elected officials have first-hand knowledge of the problems faced by tribes, and I am sure they can effectively formulate policy for the center and to provide the direction needed to protect our future interests.

Mr. Chairman, the American Indian Policy Information Center is greatly needed today because there is no other organization or Government agency that is performing the services which it will be mandated to conduct. It certainly does not duplicate the BIA nor the Library of Congress nor the GAO nor the National Academy of Sciences, yet, without this special act of Congress, the Policy Information Center cannot survive on private grants nor on contributions from tribes. It would not compete with NCAI nor the tribal colleges nor any other Indian organization. It can only help us all do our jobs better.

On the other hand, if the congressional charter is enacted, we can all build upon this foundation and all help the center raise matching funds.

In closing, Mr. Chairman, it will take more than an American Indian Policy Information Center to address the many critical issues impacting Indian country. There are a variety of different ways that special interest groups provide impressive and also damaging misinformation to support their causes. Tribes need to be able to counteract this kind of sophisticated lobbying with an equally effective information dissemination program. The policy center can be a tool to help tribes educate the public, the Congress, and Federal agencies regarding tribal rights and issues.

Mr. Chairman, I thank you for this opportunity to address this fine committee. The Chippewa Cree fully supports S. 1159 and urges passage on a most expedient basis.

Thank you.

[Prepared statement of Mr. Sunchild appears in appendix.]

Senator INOUYE. Thank you very much, Chairman Sunchild.

May I now call upon Governor Lucero.

STATEMENT OF ALVINO LUCERO, GOVERNOR, PUEBLO OF ISLETA, ISLETA, NM

Mr. LUCERO. Senator Inouye, good morning. It is good to see you again.

Thank you for giving me the opportunity to come before you this morning in reference to the American Indian Policy Information Center.

S. 1159, designed to establish an American Indian Policy Information Center, insofar as it would aid individual tribes in making economic development plans and assist tribes in dealing with national issues which affect tribes, in general, or an individual interested tribe specifically, is laudatory. Some concerns do exist, which will be discussed.

It is conceivable that information gathered from and about tribes will come into the possession of the center which could be used adversarily against the best interest of a given tribe. Some tribes, for example, are now in the position of developing resources by virtue of gaming operations. This has resulted in the erroneous perception that tribes are affluent and no longer need funds and assistance from the United States.

One senses that this perception has permeated the appropriations process in Congress. This perception is, of course, completely wrong on several counts.

The trust responsibility owed by the United States to Indian tribes is undiminished, and, moreover, virtually all of the funds developed by the tribes are expended almost immediately on vitally-needed programs and services for tribal members, supplementing usually inadequate funds provided by the United States.

All information regarding businesses of the Pueblo, either profitably or unprofitably, should and must be kept confidential. They should go so far as to prohibit the total, all-encompassing information to be made available, such as the revenues of all of the gaming tribes in the country. Such information in the wrong hands could lead to disastrous results as far as the benefits to the tribe and tribal members are concerned.

All the material, either tribe-specific or otherwise, should be protected by specific language from the Freedom of Information Act.

The references in section four regarding tribal consultation should be expanded so as to assure that consultation would be meaningful and worthwhile.

The appropriations for this must be adequate, and it is noted that there was no specific appropriation language in the bill.

We look forward to working with the sponsors of this bill and the relevant committees in exploring changes and different directions so that the bill will more fully meet the needs of the affected tribes.

One of the things from when I talked to the tribal council is that, since the Pueblos in the southwest are unique, we would like to recommend that a Pueblo member be appointed to this committee. Pueblos are very traditional. We do like to share information, but my statement is that it could be detrimental in some aspects.

I think that there are a number of things that have been said this morning which I also take, to where the Bureau, in a sense, has failed in keeping adequate information.

Other agencies also don't believe the information provided by the tribes. Demographics, for example—the Indian population has always been under-counted. The Pueblo of Isleta has its own Census Department funded by tribal funds, and we keep adequate records.

Between the tribes' membership count—and the Bureau's count is short by very close to 1,000 people in Isleta, and we know our count is correct.

When it comes to providing information for housing, we also tell them the needs, and because of the under-count, they don't believe that is accurate for the number of homes that we need.

We are today working. The tribal council has authorized to establish a Department of Education within the Pueblo of Isleta, which makes me very proud.

I believe, again, that this information, as far as the number of students within the Pueblo we have, is very accurate. However, the other agencies don't have that information.

You mentioned a little bit ago about food commodities. Again, because of demographics the Pueblo of Isleta has been cut short, and it is sad to see my people, who are in need for this assistance, to be told, "I'm sorry, but we can't provide these services any more."

The Pueblo of Isleta fully supports S. 1159, and I certainly hope that we will be helpful to you in implementing S. 1159.

We had a short period of time to provide the testimony, Mr. Chairman; however, I am in a position to provide further written information at a later date.

Again, the Pueblo of Isleta thanks you very much and fully supports you as you have been a warrior for us and all Indian issues.

Thank you very much for your support, Senator. I can answer any questions you may have.

[Prepared statement of Governor Lucero appears in appendix.]

Senator INOUYE. Thank you very much, Governor. You have touched upon a very fundamental requirement in any policy-making: The necessity of having accurate demographics, population count. Because we don't have that, oftentimes—in fact, all the time—Native American Indians are short-changed, because the numbers we use, I would assume, are wrong.

Mr. LUCERO. True.

Senator INOUYE. Even at this moment, if I asked 10 Government agencies and 10 Indian leaders as to the population count in Indian country, I'd get 20 different answers, and I would assume that all 20 would be wrong.

Governor, you've touched upon a matter that is of major concern to me, and I presume several members of this committee, on the requirement that certain information be kept confidential and secret.

It may be that the provisions in this bill relating to restrictions may not be sufficiently strong enough or adequate to provide you that confidentiality, because if we don't have a specific waiver of the Freedom of Information Act, under that Freedom of Information Act certain information may have to be made available.

So one of the amendments that I will be providing for my committee would be to add an amendment calling for specific and explicit waiver of Freedom of Information Act. I would assume that Indian country would not object to that.

Mr. LUCERO. That is true.

Senator INOUYE. Chairman Allen, would the Indian country object to this?

Mr. ALLEN. Not at all.

Senator INOUYE. I thank you very much, Chairman Sunchild and Governor Lucero.

Mr. LUCERO. Thank you very much, Senator.

Mr. SUNCHILD. Thank you.

Senator INOUYE. And now for our final panel may I call upon: The senior administrative liaison of the Cherokee Nation of Oklahoma, Dr. Charles Gourd; the chairman of the All Indian Pueblo Council of Albuquerque, Roy Bernal, represented by Regis Pecos; and the director of The Native Affairs and Development Group and the Chickasaw Nation Ambassador to the United States, Charles Blackwell.

I have been advised that Dr. Gourd is also representing the Principal Chief.

Dr. Gourd.

STATEMENT OF CHARLES GOURD, SENIOR ADMINISTRATIVE LIAISON, CHEROKEE NATION OF OKLAHOMA, TAHLEQUAH, OK, ON BEHALF OF JOE BYRD, PRINCIPAL CHIEF, CHEROKEE NATION

Mr. GOURD. Thank you, Senator.

It is, indeed, an honor to be here in Washington representing the Cherokee Nation and the newly-elected principal chief, Joe Byrd.

I have provided some written comment. In listening to the discussion today and the other testimony, and also after our Planning Committee meeting yesterday, if it is permissible, I'd like to vary from the written comment just a little bit and maybe add some additional perspective.

Senator INOUYE. I can assure all the witnesses that their prepared statements have been made part of the record, so you may proceed, sir.

Mr. GOURD. Thank you, sir.

My first opportunity to meet you was in 1989 when you came to visit Oklahoma on the occasion of the first formal meeting the elected tribal leaders in the State of Oklahoma and officials of the State of Oklahoma, which was kind of a historical event.

I can provide a perspective of that, having been the director of the Oklahoma Indian Affairs Commission, and at that point in time needing information on tribes within the State. There was no information available from State agencies, there was no information available in the collective nature and policy issues for the State of Oklahoma to develop adequate policy on its relationship with the federally-recognized tribes resident within its exterior boundaries.

Now, offering a tribal perspective in representing the Cherokee Nation, it is crucial at this point in time, given the issues that are facing Indian country, both at the Federal and State level, that a source of independent, reliable, and consistent information on Federal policies and State policies and legal interpretations by the courts become available, because we have issues of mutual concern in the States within which we reside.

With good, solid information, I think we can negotiate rather than litigate, which is unnecessarily expensive and protracts and detracts from our capacities to improve the quality of life for all the people that reside within Indian country——Indian and non-Indian, alike.

Some comment has been made to the information from the Census Bureau. I would add to that, that the Census Bureau information is slightly skewed because there is a little category in there for self-enumeration.

While I was director of the Oklahoma Indian Affairs Commission, 500,000 people in the State of Oklahoma marked that they were American Indians. The State and the Census Bureau buried that number as fast as they possibly could, so then, when as a State agency director, I was asked how many Indians were in Oklahoma, all bets were off and you just throw the numbers up in the air and see where it comes down.

I always relied as closely as possible—I would call the respective tribes and say, "As of today, how many citizens do you have?" and that's the number that I would use. I would call the tribes direct.

In 1990 there was an attempt in the Census Bureau to provide funding for a special Indian enumeration, an Indian count involving the respective tribes, put together people to interview and go out in communities, and had the tribes geared up for that. At the last minute, the funding for that special count was pulled, so we still don't know accurately, with tribal participation—as was pointed out earlier—how many Indian people there really are in this country, and that still concerns me quite a bit.

One of our major workers in that effort, Mr. Raymond Johnson, who worked for the Census Bureau, was, unfortunately, killed in the Murray Building@@ when it was blown up last spring.

The Indian Health Service, at present, in dealing with our local Hastings and Claremore Indian Hospital facilities, has a different count for Indians compared to that of the Bureau as far as service populations.

As far as unmet need, our local area service unit directors have been instructed that they are to fill out their forms and applications and requests to the Federal Congress for appropriations to stay within the limits of what they have been told; that is, to show no unmet need.

I'm fairly confident that there is a massive unmet need that won't even be addressed when it comes to the floor in the House and the Senate for the appropriations that are up and coming, so I fully agree with and support the statements that have been made as to an inaccurate account of Indian people and where we are in Indian country.

We support the establishment of this policy information center as being absolutely crucial, not just to Indian country and Indian tribes. We know who we are and where we are and what our conditions are. It is the need of information that's reliable and independent for newly incoming Senators and Representatives in the Federal Congress, for State legislatures, for people who are elected at the local unit of government in cities and counties. And equally important is the perception that is out there among the non-Indian population as to what the political and legal status of American Indian and American tribal governments are in this Nation, and we desperately need that knowledge out there.

Thank you.

[Prepared statement of Mr. Gourd appears in appendix.]

Senator INOUYE. Thank you very much, Dr. Gourd.

May I now call on Mr. Pecos.

STATEMENT OF REGIS PECOS, TRIBAL COUNCIL COCHITI PUEBLO, COCHITI, NM, ON BEHALF OF ROY BERNAL, CHAIRMAN, ALL INDIAN PUEBLO COUNCIL, ALBUQUERQUE, NM

Mr. PECOS. Thank you, Senator.

Senator INOUYE. You are welcome, sir.

Mr. PECOS. I think, over the years, we have a well-demonstrated commitment and support of the establishment and the need for the center, and I thank all of the individuals that have testified and have given their perspectives with regard for the need for the center. That has been well made.

I want to touch upon another side of the issue regarding the tremendous role and value that the center has played in the develop-

ment, particularly in the area dealing with State-tribal relationships.

There was a time, in absence of legislative resolution to the issue of protection of sacred sites, that we worked on very diligently with you in that leadership role. One of the things that has resulted, in absence of that legislative resolution, has been, as a result, the forums conducted and facilitated by the center. There has been a development of agreements between Federal agencies and tribes with regard to access and issues of protection of sacred sites as a direct result of the center's role in this effort.

Another area is we find ourselves at various stages of development. One of the commission research documents addressing the issue of clean water, or the establishment of water quality standards important to many of the tribes in New Mexico, is another side to the incredible value with regard to these kinds of commissioned research documents.

For those tribes who are in the beginning stages of discussions about what, exactly, to do with regard to establishing water quality standards, such a piece was timely because what it did was to give an overview of all of the existing water quality standards developed by tribes throughout this country. That was incredibly helpful to us in New Mexico.

One of the other areas that was a result of an earlier commissioned document had to do with the issues of double taxation where both tribes and States were exerting their powers and authorities as sovereign entities to levy the same tax on the same activity.

We have been able to use the various options and recommendations laid out in that initial report that has resulted—in fact, today the Pueblo of Santa Clara is presenting to that State Legislative Committee on Revenue Stabilization an option for consideration with regard to the collection of gross receipts for the State and the tribe to be able to work together so that both become the beneficiaries rather than adjudicating the issue and the end result being that there be winners and losers in that effort. But this is a direct result of that earlier report on taxation issues.

One of the other ones that we have seen becoming reality dealt with the issue of double taxation in another area dealing with the production tax on oil and gas. As a result of this document, again we were able to take the issue a couple of steps further to look at State-initiated legislation that is now part of the law that addresses specifically the issue of petroleum on the dual taxation on oil and gas in New Mexico.

One that is very close to my heart and one that had its beginnings in the center, facilitating a forum regarding ways in which legislatively we would be able to extend, is the issue of language preservation to community-based organizations, rather than strictly the way in which programs historically have been confined to schools. That will be the subject of a conference bringing together the subjects of this research-initiated project by the policy center.

With a number of tribes throughout this country who are actively involved in the preservation of Native languages, we're going to be bringing together individuals representing tribes from California, folks from up in Alaska, and a number of Pueblo communities in New Mexico to share the findings of this research document in

hopes that it can further add to development of strategies with regard to the development of community-based language preservation programs.

And so I just wanted to share a few examples in terms of what has happened over the last several years with regard to research initiated through the center that has been incredibly valuable to tribes and other decision-makers as they attempt to resolve long-standing issues of conflict.

As the gentleman stated before, in terms of the information available through the center, what it does as we look, again, at the various stages of development that we find in Indian tribes throughout this country, it is a means of at least having examples provided with regard to what tribes in other States around the country have done to resolve issues that don't necessarily have to be adjudicated, because in those instances sometimes we find ourselves, with regard to court decisions, confining and taking away the very flexibility that I think can lead to the kind of true partnership in areas that historically have been areas of conflict.

Now, one of the immediate concerns in discussions over the last several weeks with the interim director, Bob Arnold, is what to do about the issue of welfare reform but, more specifically, dealing with the issue of Medicaid and the implications regarding the individual participation of Indian people in forced situations to enrolled members of State- initiated Medicaid plans, as well as the implications with regard to how and where the Indian Health Service fits into this overall plan.

That's another matter that I think, as States move forward in developing their own plans, that it becomes necessary to focus and look at the implications and, as we draw conclusion about what is the most desirable strategy and approach with regard to what makes the best sense for Indian individuals participating in these plans, as well as the Indian Health Service, so that what we, in fact, do is work towards maximizing the availability of resources for health care services to Indian people.

That's one that I think is going to add to the long list of areas that the center has lived up to the fulfillment of the potential and, as you said, in your earlier statements and the conceptualization of what the center could do, has resulted in all of us in New Mexico becoming the beneficiaries of these kinds of forums and efforts by the kind of collective thinking with regard to what makes the best sense and how we resolve ourselves to deal with these pressing issues.

We are going to elaborate further in our written testimony giving further examples of where we have been able to maximize the utilization of resources through the center.

I want, on behalf of Chairman Roy Bernal, to extend his apologies to you and members of the committee for not being able to join you here today. He extends his best wishes to you, Senator, for all of your efforts.

I, personally, just want to remind all of us here at this hearing that I don't know where we would be in these difficult times without your continued commitment for the cause of Indian people, and for that we're eternally grateful for all that you've done and all that you continue to do on our behalf.

Senator INOUYE. I thank you very much, sir.

May I now call on Ambassador Blackwell.

STATEMENT OF CHARLES BLACKWELL, DIRECTOR, NATIVE AFFAIRS AND DEVELOPMENT GROUP AND, CHICKASAW NATION AMBASSADOR TO THE UNITED STATES

Mr. BLACKWELL. Senator, I am here appearing this morning not only on behalf of Governor Anoatubby of the Chickasaw Nation, but also Governor Edwin Tafoya of Santa Clara Pueblo, Governor Joe Garcia of San Juan Pueblo, and Chief Jerry Haney of the Seminole Nation, who each, individually and jointly, bring you their warmest private greetings.

I submit for the record the written testimony that we have prepared and presented.

I would like to make a comment that I'm moved to note here, as probably the senior member of the panel, for I've just been adding up the number of years of sharing and working together and friendship of my brothers here at the table, and we have almost three-quarters of a century of combined work, knowledge, and service to the American Indian community.

The thing that each one of us has in common is not only a bond of service to our own people, but a bond of commitment to the national American Indian community. In doing that, we have—Mr. Pecos and Dr. Gourd and I—have prepared ourselves to be of service to our people and to the national Indian community by involving ourselves academically and by being informed so that the actions that we take are based on knowledge.

That, in itself, is the purpose and extension and the reason we support S. 1159, because it moves what we have done forward, it creates a continue forum for sharing, for gaining knowledge, and we must be aware of several things.

It has been said that knowledge is power. For Indian people, knowledge is survival. Too often and too long in the Indian community we have been cut off from that part of the decisionmaking process based on information and having the correct information and being able to be a part of the process in an effective way.

Having the American Indian Policy Center at George Washington University here close to the center of policymaking in Washington has afforded the national Indian community, some of our people who are in rural areas, the opportunity to be informed.

As technology improves and communication improves, the speed with which that information can be shared will also improve, and we look forward to that.

There are some things that are interesting to note. The challenge for this lies in who we are, in our culture and our traditions.

We are also one of the poorest ethnic groups in the United States. We have the lowest life expectancy of any ethnic group in the country. We have the highest infant mortality rate of any ethnic group in the country. We have the highest rate of HIV infection among our young people, up 82 percent from 1992–93. These are neither happy statistics, nor are they statistics that should be covered up and buried away.

Having accurate and consistent information to identify and combat these challenges and these problems is vital.

I wish to compliment the former director, Alan Parker, for his work in starting the center and moving it forward. I wish to express my enthusiasm for the current attentive leadership that Bob Arnold brings to the center, and very clearly express both my personal and the tribal support that I represent for the establishment and continuation of the center for policy information.

[Prepared statement of Mr. Blackwell appears in appendix.]

Senator INOUYE. Thank you very much, Mr. Blackwell.

I am certain most of us are aware that at this moment we are in the legislative process to adopt legislation designated as welfare reform. This is a bill of broad and great consequences and impact upon American society. It provides for block grants to the States. It also provides that the States may set aside 30 percent of that block grant and use it for any purpose that they so designate. There are no statistics or numbers that are required as to what should be provided for certain people.

Up until now, Indian country has been receiving aid directly from the Federal Government, not through the States. Understandably, I would think that the statistics that the government houses of the State governments will use would be those relating to their service population.

If the Congress is reluctant and refuses to provide a set-aside for Indian country, then more than ever correct information would be necessary because, from what you say, Dr. Gourd, if Oklahoma State Government doesn't have information, Oklahoma being the State with one-quarter of the population of Indian country, then God save the rest of Indian country.

Just for the record, I gather BIA says the service population is about 1.3 million. The census is uncertain. They speak of 2 million, one-half in urban America and one-half in reservations.

You are the three most learned members of Indian country. What is your number of the number of Indians in America?

Mr. BLACKWELL. I think, Senator, that the population, for various reasons, of the American Indian community, the Native population, beginning with the mid-Atlantic region, where we sit, for various reasons, some of which are racist in nature, others which are sensible in nature, the American Indian population has always been under-counted.

When the Chickasaw Nation took the responsibility for counting its own members in 1969, there were 10,000 more. We fought reluctance from the BIA to expand their numbers because that would mean that they would have to be held accountable for expanded services. I think that has been the experience both of our brothers in the Cherokee Nation and our cousins in the southwest. And I'm sure that's probably reflective of the experience of tribal governments and Indian people clear across the United States.

The Indian people in California moved inland to avoid being counted because of the bounties that were placed on their heads. Our grandparents and our parents were not citizens allowed to vote.

At the moment of Statehood in Oklahoma, it became socially and culturally unacceptable to be Indian, and those people of mixed blood, background, or those people who could, simply faded away.

Now, with the support that we have experienced, and with the knowledge that people have gained about the strength of tribal sovereignty and the goodness of tribal government and the willingness of tribal leadership to take responsibility for the welfare of our people, more and more and more people are coming forward.

There are people in the south who escaped the removal who are now wanting to reconstitute themselves. It is a struggle within the recognized American Indian community about exactly how to do that, but in the spirit of tribalism and brotherhood, we have come to grips with acknowledging that the Native bloodlines run long and deep in many, many families in this country, and for the moment in history it is all right for people to step forward and say that they are Indian.

Based on what is now happening in history, and historically where we are in tribal government, the population base of the American Indian community, just as Charles said, in Oklahoma, if people are given the opportunity to proclaim their Indianness, themselves, very well the Indian population in this country could be three times greater than what the Federal Government says it is.

There may be others here who have a much more direct knowledge.

Senator INOUYE. What would that number be? Three times what [Laughter.]

Mr. BLACKWELL. That would mean that there are almost 4 million American Indian people.

Senator INOUYE. Half of that being urban American?

Mr. BLACKWELL. That would be throughout all of American: Rural, reservation, and urban.

One of the issues is an appropriate deference to tribal government in determining tribal membership. It is one of the inherent powers of a sovereign nation to determine who its people are.

The Chickasaw Nation is struggling with dealing with the issue of dealing with the people in Mississippi, Tennessee, and Alabama who are now saying that they are of Chickasaw heritage and pre-removal issues. The Cherokee Nation is dealing with that, as well as the Muskogee Creek Nation and the Choctaw Nation in Oklahoma.

Senator INOUYE. I did not ask the question to embarrass anyone, but just to highlight what we have been trying to achieve, and that is to bring about some center to provide us with information, because it is clear, from everything I have heard and everything I know, that we have no such information. So all of our policy decisions have been based upon misinformation or non-information or just plain falsehood.

I will do my utmost to convince my colleagues of the necessity for such legislation, but you will have to do your part, also.

Mr. BLACKWELL. Senator, I'm reminded—and excuse me, just 1 minute. In the spirit of sharing information, there is a growing movement across the country. Chairman Allen and the National Congress of American Indians and tribal governments all over the country are becoming very well aware of the power of the tribal vote.

There is a movement that has been called, "I am a dyed-in-the-wool yellow-dog American Indian." And it is the serious intent of every tribal chairman in the country, from coast to coast, to do everything they can to register every American Indian voter that they can.

The demographic research, the basic initial demographic research, indicates, for example, in Oklahoma that the Indian vote will have a very strong influence on the outcome of every election, both national and local, for the rest of history as tribes become more aware of the power of their vote. And the elections in New Mexico—the last elections are clear evidence of that, both in the Presidential election and in the man who fills the Governor's chair in New Mexico. The tribes had a strong influence on that. That sort of information is important, too.

Senator INOUYE. Well, I thank all of you very much for your assistance this morning.

I'd like to announce that the hearing record will remain open for 3 weeks until November 28, Sunday. So if you have any addendums or any corrections or any new statements you would like to submit, please feel free to do so.

Until we meet again, the hearing is adjourned.

[Whereupon, at 11:29 a.m., the committee was adjourned, to reconvene at the call of the Chair.]

APPENDIX

Additional Material Submitted for the Record

Prepared Statement of Hon. Craig Thomas, U.S. Senator from Wyoming

Thank you, Mr. Chairman. We are here this morning for a hearing on S. 1159, a bill to establish an American Indian Policy Information Center. In the last two Congresses, the Senate considered and passed similar bills which the House, wisely in my view, failed to pass. As the ranking minority member of the House Subcommittee on Native American Affairs in the 103d Congress, I shared many of the concerns of my colleagues on both sides of the aisle—including then-Chairman Bill Richardson—about the legislation. Among those concerns were the costs associated with such a center, the creation of yet another Government-funded bureaucracy, and the advisability of creating such a center in Washington as opposed to at a university or college closer to the vast majority of the proposed service population—in other words, in the West. In addition, the bill was opposed by the tribes in my State of Wyoming. As a result, I opposed the bill.

While I recognize that Senator Inouye has made some adjustments to the bill to reflect some of these concerns, for which I commend him, I feel I must be candid with the Committee and say that I am still not convinced about the necessity of the Center as proposed by this legislation. My concerns remain basically the same as they were in the last Congress: Whether there is really a demonstrated need for such a center, the costs, the creation of yet another federally-funded commission-like entity, and its location at George Washington University.

While my apprehension would basically remained unchanged even in a static world, the dramatic changes that have taken place during the year that has passed since similar legislation was last considered heighten those concerns. As part of the effort to balance the Federal budget, spending for programs for the benefit of Indian people has been dramatically slashed; while I strenuously opposed these cuts, they remain a fact. As part of the move to shrink the budget, superfluous programs and agencies—even entire departments—are being looked at with an eye toward elimination. Consequently, legislation which would create a new entity and require appropriations when even the most basic needs of Indian people cannot be met seems especially ill-timed to me.

Because my core concerns and those of my tribes about this bill remain primarily unchanged, I cannot support it. I do, however, look forward to reading the testimony that will be offered this morning to learn the views of some other tribes.

Prepared Statement of Hon. Ben Nighthorse Campbell, U.S. Senator from Colorado

Thank you Mr. Chairman. I would like to make a few brief remarks on the American Indian Policy Information Center Act of 1995 [AIPIC]. As a cosponsor of this legislation, I recognize the value of an American Indian Policy Information Center, whose mission is to foster the development of objective policy statements that reflect the views of Indian communities around the country.

All to often the common concerns of Indian communities on issues such as energy, the environment, education, and taxation are not adequately researched and quantified, so as to be beneficial to non-Indian communities, states, federal agencies, and policymakers.

This legislation, to create a policy information center, will fulfill the need for a resource and repository of information for all Indian communities and other interested parties. It is also my understanding that S. 1159 will allow our tribal colleges to compete for all research and policy related projects. This is important because it will bring the research opportunity and increased funding back to Indian communities.

During the development of this reauthorization proposal, over the past two Congresses, I have heard from many tribes around the country who have expressed concerns about the merits and direction of such a policy information center. I, too, share your concern. This hearing is the beginning of the legislative process and there will be opportunities to craft a bill that is mutually agreeable to all.

For example, in order to ensure the highest standards are met in reviewing proposals I offered an amendment to require the Board of the Institution, to establish a process for independent peer review of research proposals submitted to the Institute. The amendment would also allow research institutions to contract with the Institute.

I am delighted to know that S. 1159 exemplifies the necessity for quality standards that is reflected in the bill, and I look forward to the testimony presented today.

Thank you.

PREPARED STATEMENT OF ADA E. DEER, ASSISTANT SECRETARY—INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

Good morning, Mr. Chairman and members of the committee. I am pleased to be here to present the Department of the Interior's views on S. 1159, a bill "To establish an American Indian Policy Information Center, and for other purposes." We recognize the need in Indian country for a centralized source of information and data that would aid in developing Indian policy and providing information to tribes.

We support the enactment of S. 1159. This Bill, S. 1159 provides Indian country an opportunity to work together on all Indian issues by making available the information needed to make informed decisions that will impact the future of Native Americans.

The National Indian Policy Center was established in 1991 as a demonstration project at George Washington University under a cooperative agreement with the Administration for Native Americans. Based on the continuing need of the Congress, other Federal agencies, and Indian tribal governments for information and data, we are pleased to give our support to making this a permanent American Indian Policy Information Center.

Each time I visit Indian Country, I am amazed by the creativity and resilience of our communities. In the face of conditions that would bring most municipal and county managers to their knees, our tribal leaders conduct the daily affairs of government. Our communities lack adequate housing, roads, health care, emergency services, running water, and sewer systems; many remain without adequate electric power.

Despite these conditions, educating our children has always been a top priority. We must continue to move forward and build on the progress being made. In the last decade, we ensured that Indian children in 187 Bureau-funded elementary and secondary schools on 62 reservations in 23 states would have the opportunity to become full participants in the information age. The Educational Native American Network [ENAN] was the first national educational electronic network involving American Indian and Alaska Native students and schools. It offers them the opportunity to go on-line and communicate with their peers, libraries and other information resources. It now provides a bulletin board dedicated to the students which includes an on-line counseling service. ENAN has become invaluable to our teachers. Despite the isolation of the communities in which they work, they can seek resources and converse with other professionals to develop curricula and improve school programs.

Many tribes have entered the information age. Recently, the Pueblo of Laguna received funding for FOUR DIRECTIONS, an indigenous education model funded by the National Science Foundation. Working with private groups such as INTEL, MICROSOFT and Sandia Laboratories, eight Bureau-funded schools will be linked

together to bring resources of national research centers, libraries and repositories to these students.

As innovative as these projects are, there remains an information vacuum in much of Indian country. For many tribes, this void has been filled by the National Indian Policy Center. At present, the Center disseminates by facsimile and mail—information on pending legislation, policy, funding opportunities and research to tribes and tribal organizations. The Center provides a service which is critical to tribes that cannot afford full-time attorneys or lobbyists to monitor Congressional activity, that suffer interminable delays in mail delivery, and that have unreliable or non-existent availability to utility services, such as reliable electricity and telephone service.

Until the technology is developed that links isolated tribal communities to the resources so readily available to the general public, tribes must have timely access to the information necessary to good decisionmaking. One cannot argue that the dissemination of timely information is unnecessary or a luxury in this time of limited funding. On the contrary, we strongly support the availability of a clearinghouse that makes data, information and research available to tribes without charge. The National Indian Policy Center has proven its worth as a demonstration project, and we support its continuation as the American Indian Policy Information Center.

I am excited by the possibilities for the ongoing work of the center once its future is more assured after the enactment of S. 1159. The current policy center solicits tribal advice on needs for data, information and analyses. I would love to see a formalized process of conducting annual needs assessments among the tribes. Also, the center has conducted forums on various American Indian and Alaska Native issues. We believe the center must continue with that important activity, as long as the topics for the forums are tribally driven. For tribes to be prepared for the 21st century, we need visionary planning and policy development. Too often our responses continue to be reactionary in nature. The center could make an important contribution in this area.

In a climate of dwindling material resources, we must be prepared to share information, as the current center does, as well as expertise and human resources on a consistent basis. Tribes need more trained Indian researchers in every community. I would love to see the center engage in increased participatory research with tribes; participatory research generally implies the training and direct involvement of local community members. We want to leave skills and expertise behind that will benefit a tribe, in addition to gathering information from them. I am reminded of the adage about either giving fish to a man or a woman, or teaching them to fish for themselves. I want our communities to be able to fish for themselves—in this case, to fish for information and data at the local level. Not only will we have passed on needed skills, but we will have created partners at the tribal level who will have a more direct relationship with the center than they might now have; and these new partners would continue an information exchange with the Center itself, thereby benefiting everyone.

One of our best avenues to work at the local level is through the tribal college network. We appreciate section 11, that includes a relationship with Tribally Controlled Community Colleges, United Tribes Technical College, Southwest Indian Polytechnic Institute, Haskell Indian Nations University, and the Crownpoint Institute. Section 11 provides a unique position for them to assist the proposed Center in almost any educational research endeavor. The Center could offer fellowships to students and assist them in publishing their study results, through the center itself and in professional journals, as well. Such activities would develop the capacities of local people and expand the base of researchers and research available to the Center.

We would also like to see a strengthened relationship between the BIA and the Center. Both entities engage daily in policy development and research that directly impact tribes. I would like to explore ways to improve our mutual information-sharing and dissemination responsibilities, and to cohost round tables, think tank sessions, or other forums.

This concludes my prepared statement. I will be pleased to answer any questions the committee may have.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC.

Hon. JOHN MCCAIN,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: This is in response to questions submitted in your letter of November 9, 1995, in followup to the hearing before the committee on November 7, 1995, on S. 1159, the "American Indian Policy Information Center Act of 1995".

Question: Please describe whether or not, in your view, the approach proposed in S. 1159 would be a wise, efficient or appropriate way to spend the increasingly scarce Federal dollars appropriated for the benefit of Indians?

Answer: As it is proposed, the Center would engage in greater partnering with other organizations and entities which would lead to the efficient use of available funding. Based on the language in S. 1159, we envisioned a Center that would work more closely with the tribal colleges and other post-secondary institutions, all of whom work at the grassroots level with our Indian communities. We further suggested increased tribal involvement in the proposed activities of the Center, training of tribal researchers, and engaging in greater levels of participatory research with tribes. Such activities would result in the wise investment of Federal dollars in Indian communities.

Question: Obviously it is in the interest of Indian tribes to coordinate and sharpen their public education efforts on the needs in Indian country. Could not much, if not all, of the work of the proposed National American Indian Policy Information Center be accomplished through existing, intertribal organizations? Please explain.

Answer: Of the various organizations that come to mind: National Congress of American Indians [NCAI], Native American Rights Fund, American Indian Resource Center, American Indian Law Resource Center, and the National Indian Child Welfare Association, all have their particular areas of interest and/or expertise. Only NCAI has a broader, all-encompassing mandate; yet they lack the funding and staffing to carry out the range of researched data gathering activities proposed in S. 1159. We do not believe any one of these organizations is prepared to accomplish all of the work proposed in the bill.

We appreciate the opportunity to present further views on S. 1159. Also, thank you for your ongoing interest in and support of Indian Affairs.

Sincerely,

ADA E. DEER, *Assistant Secretary.*

PREPARED STATEMENT OF GARY KIMBLE, COMMISSIONER, ADMINISTRATION FOR NATIVE AMERICANS ADMINISTRATION FOR CHILDREN AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES

Chairman McCain, Vice Chairman Inouye and members of the committee, it is my pleasure to come before you today to support S. 1159, a bill that would establish an American Indian Policy Information Center. This Center would serve as a data, information, and research clearinghouse for Government and tribal needs. However, the Administration's support for S. 1159 is contingent on the deletion of section 12, which establishes special budget procedures for the Center. The Center should be subject to the normal budget procedures of the Department of Health and Human Services and the executive branch.

The administration, and I personally, appreciate your deep and long-standing commitment to addressing the critical issues that confront Tribes and Native American communities, as well as to help Indian people achieve their social, economic and governance objectives. We, in the Administration for Native Americans [ANA], have worked diligently to further these goals within Indian country. ANA is a relatively small agency, with a big mission. The impact of ANA philosophy and policies is visible and viable in Native American communities across the country.

ANA serves over 550 federally-recognized tribes [including over 220 Alaska Native tribal governments], about 60 tribes that are State-recognized or seeking Federal recognition, Indian and Alaska Native organizations, Native Hawaiian communities, and native populations throughout the Pacific Basin.

Our philosophy is to respect the right of self-determination and self-governance of all Tribes and Native American communities and organizations. Within this context, ANA assistance enables them to develop their own strategies so Native American communities can move towards social and economic self-sufficiency.

One element of ANA's efforts in this area over the past few years has been the funding of a national Native American policy development center. In response to language in the Senate reports on the Labor, Health and Human Services appropriations bills for fiscal years 1991 through 1994, ANA has financed nearly $4 million in planning grants for the National Center for Native American Studies and Policy Development through a cooperative agreement with the George Washington University [GWU].

The Center at GWU has produced and disseminated a variety of documents that educate, inform and enlighten individual Native Americans, tribal governments, tribal organizations, educators, researchers and the public at large. The information is sent by fax or mail weekly to tribal governments and other tribal entities. Among the documents are:

- information memoranda on national policy issues, Indian related court decisions, federal rulemaking, and publications of germane Indian interest;
- research reports; announcing the availability of recent publications produced by other institutes, agencies and organizations;
- news releases on coming events, announcements of related congressional hearings and conferences within Indian country pertinent to Indian policy issues; and
- information to the various levels of government; federal agencies; other institutions; state commissions; and the public at large.

Under S. 1159 these activities could continue and expand, including making the American Indian Policy Information Center a national clearinghouse for Indian related materials and information benefiting Native Americans and helping to educate a wide array of other interested parties.

I appreciate this opportunity to discuss the benefits of the American Indian Policy Information Center. I would be happy to answer any questions.

ADMINISTRATION FOR CHILDREN AND FAMILIES,
Washington, DC.

Hon. JOHN MCCAIN,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: First of all, I would like to apologize for responding to your original correspondence so late. Unfortunately, due to the government wide shut down that occurred in mid November, our entire agency, except for one staff member, were furloughed and essentially all of our in-coming mail was delayed.

In any event, I thank you for inviting my comments on questions regarding S. 1159, a bill to establish the American Indian Policy Information Center. I am pleased to respond.

First, I think the role described for the proposed center providing policy information to tribal governments, among others—is significant a role, and one that has added importance in these times of diminished budgets and proposed policy changes. If tribes are to effectively govern in the fullest sense of the word, they need a wide range of information. Self-Determination and self-governance imply the possession of information. In short, information regarding Indian country is scarce and incomplete, this is especially so for smaller tribes remote from population centers.

Second, except for the National Congress of American Indians, broad based inter-tribal organizations do not have offices in Washington, DC. The proposed Information Center, like the current demonstration project, would be initially located in Washington, DC, and this is important to its gathering activities. The current center, it should be noted, distributes policy-related information not just to tribal governments, but to all of the inter-tribal organizations as well. Distinct from these organizations, however the proposed center would have no advocacy role, rather only an informational role.

In closing, as head of an agency whose mission is to advance economic and social self sufficiency in Indian communities, let me note that our mission would be supported by the roles assigned to the center.

Thank you for providing me this opportunity to comment further on S. 1159. Please let me know if have any additional concerns or questions.

Sincerely,

GARY KIMBLE, *Commissioner.*

PREPARED STATEMENT OF STEPHEN JOEL TRACHTENBERG, PRESIDENT, GEORGE WASHINGTON UNIVERSITY

MR. Chairman, Thank you very much for inviting me to submit testimony to the Committee on Indian Affairs on your bill, S. 1159, to establish an American Indian Policy Information Center as a successor to the current National Indian Policy Center of the George Washington University.

While I respectfully defer to tribal government leaders and other representatives of American Indian and Alaska Native organizations regarding the broad purposes of S. 1159 and its provisions, I am pleased to offer my own view on those provisions affecting the George Washington University.

Let me say at the outset that I am pleased that your bill to create the successor organization would continue the role of the George Washington University as its host institution, implying as it does that we have, indeed, been a responsible host for the developing institution.

It has been a mark of distinction for the university to have been associated with fine works commissioned and published by the National Indian Policy Center.

Location of the center at the university has provided other benefits to the policy center. In recent months two major proposals for special funding incorporated provisions relating to American Indians. The gopher site for the policy center on the Internet and its access to other sites on the internet are provided by the university. Staff of the policy center use both libraries to make bibliographic searches and to copy public laws and other documents. And, at the request of the policy center, we are affording library privileges to professional staff of the National Congress of American Indians, and we are pleased to do so.

Given the Importance of what happens in Washington, DC with regard to Indian Policy—both in the legislative and executive branches—and the kinds of policy developments that the center is reporting to tribal governments across the Nation, I believe the earlier decision to locate the center in the Nation's Capital was a sound one. I note however, that S. 1159 provides that the new policy information center would be located at the George Washington University for only 2 years, at which time its board of directors would consider other host institutions as well as George Washington University. If done, this would be unacceptable and in my view too short a duration to provide the kind of stability that any organization needs to be effective. At such time as the committee deliberates on specific provisions of S. 1159, I ask that the provision be reconsidered.

GW'S conviction of the importance of the center is demonstrated by the contribution of over $1 million the university has made since December 1990 in support of the center's work. Under our cooperative agreement with the administration for Native Americans [ANA], the university has contributed 20 percent of the total cost of the project. This level of matching funds is consistent with the matching requirements of the ANA, and consistent with the provision of the bill before the committee. Such funding is provided by GW by waiving the normal direct cost of 26 percent of the direct expenses of the grant that would normally come to the university as part of a Federal grant. As the host university GW accepts certain responsibility and liabilities in conjunction with being the host university. As such respectfully request that section 7 p10 line 24 be amended to state that the host university shall have 3 members on the board designated by the president of the host university and that the initial agreement as stated on p17 line 18 be made for 5 years not 2 as stated in the legislation.

Finally, Mr. Chairman, while the center operates under administrative rules and regulations governing all units of the university, In no instance does the university intervene in the policy and program choices made by the planning committee. Those decisions are exclusively the responsibility of the center's planning committee of tribal leaders and representatives of American Indian and Alaska Native organizations.

In closing, let me assure the committee of our endorsement for the initiative that is the subject of today's hearing. We concur with the objectives so long as it contains the amendments I've outlined. Based upon our experience, a center such as described can effectively pursue those objectives.

Thank you, Mr. Chairman, for the opportunity to share with you my thoughts on this very important matter.

GEORGE WASHINGTON UNIVERSITY,
Washington, DC, November 27, 1995.

Hon. JOHN MCCAIN,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: Thank you for writing to me regarding S. 1159 concerning the National Indian Policy Center currently located at The George Washington University.

In the written testimony submitted to Senator Inouye, the Ranking Democrat on the committee on November 7, I reiterated GW's conviction of the importance of the Center. Since its founding in 1990, The George Washington University itself has provided more than one million dollars of our own money in support of the Center's work. I cannot think of anything I could say that would speak louder than that or be more persuasive about our commitment.

Under our cooperative agreement with the Administration for Native Americans [ANA], the university has contributed 20 percent of the total cost of the project. This level of matching funds is consistent with the matching requirements of the ANA, and consistent with the provision of the bill before the committee. Such funding is provided by GW by waiving the normal indirect cost of 26 percent of the direct expenses of the grant that would normally come to the University as part of a federal grant. As the host university GW accepts certain responsibility and liabilities in conjunction with being the host university. As such we respectfully request that section 7 p10 line 24 of S. 1159 be amended to state that the host university shall have 3 members on the board designated by the president of the host university and that the initial agreement as stated on p17 line 18 be made for 5 years not 2 as stated in the legislation

While the Center operates under administrative rules and regulations governing all units of the University, in no instance does the University intervene in the policy and program choices made by the planning committee. Those decisions are exclusively the responsibility of the Center's planning committee of tribal leaders and representatives of American Indian and Alaska native organizations.

In response to question number 1 in your letter I would have to answer that the investment of its own resources by The George Washington University for the Center cannot continue without a commitment by the Congress that the full measure of funding called for in S. 1159 will be forth coming. Our support is directly contingent on support from Congress and without that support I will be forced to close down the Center as soon as current funding expires. We are not a foundation, nor are we a government agency. It would be both inappropriate and a violation of my fiduciary responsibility to the University for me not to act in this way under the circumstances. I would do it most reluctantly—but, alas I would do it.

In answer to question 2, I would have to respectfully defer to the Board of the National Indian Policy Center for their response which I believe was given in testimony by Board Chair, Ronald Allen at the November 7, 1995 hearing.

For your consideration, I am enclosing a copy of the written testimony I submitted to the Committee at the request of the Ranking Democrat Senator Daniel K. Inouye.

Should you have any questions regarding this or any other GW matter, please do not hesitate to contact me or have staff call my Assistant for Congressional and Federal Relations Ronald Willis at 202-994-9132.

Cordially,

STEPHEN JOEL TRACHTENBERG,
President.

PREPARED STATEMENT OF JOHN SUNCHILD, SR., CHAIRMAN, CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION

Mr. Chairman and members of the committee, my name is John Sunchild, Sr., Chairman of the Chippewa Cree Tribe of the Rocky Boy's Indian Reservation in the State of Montana. I appreciate the opportunity to appear before you today to offer a few comments on S. 1159, a bill to establish an American Indian Policy Information Center.Mr. Chairman, last week in San Diego, California, the 52d annual convention of the National Congress of American Indians convened with 182 member tribes and 348 tribal delegates. Tribal leaders fully understood that, due to the importance of pending congressional actions, members of this committee were unable to attend.

I do recall the address Vice Chairman Senator Daniel K. Inouye gave at the 51st annual convention in Denver, CO before the start of the 104th Congress. He stated

that the tribes would have to acquaint the new members of the Congress with the problems of Indian country, with the complexities of our trust relationship with our National Government, and with the dismal and tragic history of our Nation's treatment of Native Americans. Tribal leaders simply could not assume that all new members were sufficiently knowledgeable of our history and our current situation. We would have our job cut out for us. Unfortunately, Mr. Chairman, nothing could have prepared us for the full challenge which now faces us.

As I reviewed the section-by-section analysis of S. 1159, section 2, FINDINGS, clearly stood out as I recall the tribal efforts over the past several months to restore funding for Federal Indian programs. Some members of Congress have maintained that Indians were just complaining and that there was no real difference between Indian tribes and other groups who were impacted by the budget cuts. With respect to Indian issues, many new members of Congress are simply uninformed or misinformed and regard Indians as just another minority or special interest group. They really have no understanding of the historic and contemporary relevance of Indian treaties nor of the fact that Federal funds must be appropriated in order to fulfill the Federal Government's trust responsibilities to Indian tribes.

Many don't know that, for the most part, Indian tribes are the principal governments in Indian country and that if the tribal governments are not able to provide essential services to their people, no other government will step in to fill the void. While they may not know very much about Indian country and Indian tribes, many have heard that the BIA is a wasteful, inefficient Federal agency and they are surprised that Indians oppose cutting the BIA's budget. Yes, Mr. Chairman, we tribal leaders have our work cut out for us.

The 15-member board that shall be created by this legislation are of significant importance for Indian tribes, and I strongly feel that the tribal leaders that are to be appointed must be elected officials of a federally-recognized tribe. Elected officials have firsthand knowledge of the problems faced by tribes and I am sure that they can effectively formulate policy for the Center and provide the direction needed to protect our future interest.

Mr. Chairman, the American Indian Policy Information Center is greatly needed today because there is no other organization or government agency that is performing the services which it will be mandated to conduct. It certainly does not duplicate the BIA nor the Library of Congress nor the GAO nor the National Academy of Sciences. Yet, without this special Act of Congress, the Policy information Center cannot survive on private grants nor on contributions from the tribes. It would not compete with the NCAI nor with the tribal colleges nor any other Indian organization. It can only help us all do our jobs better. On the other hand, if a congressional charter is enacted, we can all build upon this foundation and help the Center raise matching funds.

In closing, Mr. Chairman, it will take more than the American Indian Policy Information Center to address the many critical issues impacting Indian country. There are a variety of different ways that special interest groups provide impressive and damaging "misinformation" to support their cause. Tribes need to be able to counteract this kind of sophisticated lobbying with an equally effective information dissemination program. The Policy Center can be the tool to help the tribes educate the public, the Congress and Federal agencies regarding tribal rights and issues. I thank you again for this opportunity to address this fine committee, Mr. Chairman. The Chippewa Cree Tribe fully supports S. 1159 and urges its passage onthe most expedited basis.

PREPARED STATEMENT OF ALVINO LUCERO, GOVERNOR, PUEBLO OF ISLETA

S. 1159, designed to establish an American Indian Policy Information Center, insofar as it would aid individual tribes in making economic development plans and assist tribes in dealing with national issues which affect tribes in general or an individual interested tribe specifically, is laudatory. Some concerns do exist, which will be discussed.

It is conceivable that information gathered from and about tribes will come into the possession of the Center which could be used adversely, against the best interests of the given tribe. Some tribes, for example, are now in the position of developing resources by virtue of gaming operations. This has resulted in the erroneous perception that tribes are affluent and no longer need funds and assistance from the United States. One senses that this perception has permeated the appropriations process in Congress. This perception is, of course, completely wrong on several counts: The trust responsibility owed by the United States to Indian tribes is undiminished and, more over, virtually all of the funds developed by tribes are ex-

pended almost immediately on vitally-needed programs and services for tribal members, supplementing usually inadequate funds provided by the United States. All information regarding businesses of the Pueblo, either profitable or unprofitable, I should and must be kept confidential. This should go so far as to prohibit the total, all encompassing information to be made available, such as the revenues of all of the gaming tribes in the country. Such information, in the wrong hands, could lead to disastrous results as far as the benefits to the tribe and tribal members are concerned.

All of the material, either tribe-specific or otherwise, should be protected, by specific language, from the Freedom of Information Act.

The references in section 4 regarding tribal consultation should be expanded so as to assure that the consultation would be meaningful and worthwhile.

The appropriations for this must be adequate, and it is noted that there was no specific appropriation language in the bill.

We look forward to working with the sponsors of this bill and the relevant committees in exploring changes and different directions so that the Bill will more fully meet the needs of the affected tribes.

PREPARED STATEMENT OF CHARLES GOURD, SENIOR ADMINISTRATIVE LIAISON, CHEROKEE NATION

Mr. Chairman and members of the subcommittee, let me begin by thanking you for giving the Cherokee Nation the opportunity to testify to give our views in support of the bill to establish an American Indian Policy Information Center. My name is Charles Gourd, Senior Administrative Liaison for the Cherokee Nation. Today I am representing Joe Byrd, Principal Chief of the Cherokee Nation, the second largest Indian tribe in the United States with 171,206 dyed-in-the-wool, blue dog Cherokee citizens—who, incidentally vote. The chief sends his regards and regrets he couldn't join you today.

The Cherokee Nation has maintained an excellent working relationship with the National Indian Policy Center beginning in 1991 during the demonstration project. This Center has served as a much needed tool for providing research and data and for establishing a centralized point of contact for American Indian policy issues.

For example, through this demonstration project, the Cherokee Nation was fortunate to participate in a joint effort beginning in 1992, with the Oklahoma Indian Affairs Commission. The purpose of this cooperative effort was to conduct an Economic Impact Study on Native American Tribes in Oklahoma. That study quantified the Oklahoma tribal economic impact at 14.8 percent of the gross state product. This type of research and data is not only helpful to the internal workings of tribes, but is essential in providing a basis for future development, partnerships and collaborative business ventures between tribes, local and State governments.

Mr. Chairman, let me emphasize that the formation of the proposed Center is not for the purpose of dictating policy which could interfere with the tribes unique government to government relationship with the United States. It is to provide a centralized research-stimulated impartial agency in which consistent data and policy information can be disseminated internally to tribes; Federal, State, and local agencies; and to the non-Indian communities which are all affected by tribal governments. Many of the tribal governments in remote areas do not have access to this type of information. Without the service of the Center, many smaller tribes would be handicapped in representing themselves adequately. All agencies and organizations as well as tribal governments can request information on past and current policies, suggestions on the structure of future policies along with pertinent research as it relates to Indian affairs. Without such a Center, accurate and consistent information is most difficult to obtain.

Thank you again Mr. Chairman and other members of the committee for allowing this opportunity to express my views. On behalf of the Cherokee Nation, I fully support the American Indian Policy Center as an effort to assist in the development of policy related information and research for the betterment of all tribal governments and American Indian Affairs. Thank you.

CHEROKEE NATION,
Tahlequah, OK, November 28, 1995.

Hon. JOHN MCCAIN,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: I appreciate the opportunity to provide additional comment in support of S.1159. I commend your request for response from leaders of American Indian Tribes and Nations on appropriations that impact Indian Country.

First, you request views on S.1159 and the proposed approach to spending scarce Federal dollars for the benefit of Indians. We note that unless there is an independent source of policy related information that is consistent, thorough, and available to all decision makers, local, state and federal, then Indian policy will continue to be as disjointed as recent history has demonstrated.

Your second question leads to an important issue in Indian Affairs -- public education. We do not interpret S.1159 to be public education in the context of your question. While we agree that existing inter-tribal organizations have a mission of educating the pubic on Indian Affairs, we respectfully submit that without the approach proposed in the American Indian Policy Information Center, we will continue to see haphazard and inconsistent policy.

Again, I thank you for your concern on this matter and look forward to a continued relationship with your committee.

Sincerely,

JOE BYRD, *Principal Chief.*

PREPARED STATEMENT OF CHARLES W. BLACKWELL, AMBASSADOR TO THE UNITED STATES OF AMERICA FROM THE CHICKASAW NATION DIRECTOR, NATIVE AFFAIRS AND DEVELOPMENT GROUP

Good Morning. I am Charles Blackwell, Ambassador to the United States of America from the Chickasaw Nation, one of the largest and oldest Indian tribes in the country, and also the director of Native Affairs and Development Group, a firm which represents the eight Northern Pueblos Council of New Mexico along with other tribes across Indian country. Mr. Chairman and members of the committee, thank you for this opportunity to testify on behalf of Governor Edwin Tafoya of Santa Clara Pueblo, Governor Bill Anoatubby of the Chickasaw Nation, Governor Joe Garcia of San Juan Pueblo and Chief Jerry Haney of the Seminole Nation. I speak today in strong support of this bill that establishes an American Indian Policy Information Center. Such a center is a vital resource to all of Indian country, providing a clearinghouse of information not readily available to the majority of tribes, many which are based in rural sections of our country.

It has been said knowledge is power. To Indian people, knowledge is survival. Too often and for too long, the American Indian community has been cut off from Washington, not part of the thinking, not part of the process. A center, like the present National Indian Policy Center at George Washington University, centralizes information available to us all not just to Indian tribes, but to Congress, to the White House and to all of America. This non-partisan effort researches and provides accurate consistent information on American Indian health, business development, education issues, economics and government.

In the recent past, the NIPC has provided information on cultural rights and resources, the specifics tribal economic development, education, health issues, and natural resources protection and enhancement to and about the Chickasaw Nation. The Center has sponsored forums and completed vital research that has given us our best information to date on demographic and economic issues of great importance to all tribes.

I speak before you today at a time when tribes are being asked to do more for their people with less funding and with less of a say in Washington. We rely on vehicles like the proposed center, to focus our economic development efforts, to monitor Congressional bills of particular interest, and to disseminate accurate information so that decisions like the one we are considering today can be made knowledgeably.

The Native community is rich in culture and tradition. But we are also one of the poorest in this Nation with unique health and social obstacles. American Indians have the lowest life expectancy of any ethnic group in the country. American Indians have the highest infant mortality rate of any ethnic group in the country. We have the highest increase in HIV infection, up 82 percent from 1992 to 1993. Having accurate and consistent information to identify and combat these problems is vital.

Mr. Chairman, as has been emphasized to you before, the establishment of this center is not for the purpose of advocating policy, it is simply a way that we can become better informed in order to make the wisest decisions for our people, for our children, for our country.

Though we are the "first people of this land," the legacy of Native people has long been that of second-class citizens. While the United States has opened its arms to immigrants worldwide, it has denied the cultural identity of it's own original people. While providing economic opportunities for other countries, it has turned its back on the very people who preceded the founding fathers. We need centers like an American Indian Policy Information Center to provide us the basic support for knowledge to build our future.

Mr. Chairman, thank you again for allowing me the opportunity to speak on behalf of this important bill. Knowledge is power. But power without knowledge is harmful. On behalf of the tribal governments and the Native people I represent, I urge you to support S. 1159 and support America's Native community. The knowledge that is good for our people is good for our country. For we are not only American Indians, we are Americans with the same hopes and dreams. Thank you.

MILLE LACS BAND OF CHIPPEWA INDIANS,
EXECUTIVE BRANCH OF TRIBAL GOVERNMENT,
Onamia, MN, November 28, 1995.

Hon. JOHN MCCAIN,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: On October 20, Senator Inouye, the vice chairman of the committee, invited me to testify before your committee on S. 1159, a bill to establish an American Indian Policy Information Center. Regrettably, I was not able to make it to that hearing because of a personal matter that arose shortly before the hearing. On November 9, you wrote to me and asked for a response to two questions you posed at the November 7 hearing on the measure. This letter is in response to Senator Inouye's request and your questions. As always, it is my great honor to provide the committee with the views of the Mille Lacs Band of Ojibwe.

First, let me state the fears and apprehensions that have been felt in Indian country since the inception of this proposal. One fear has always been that a small group of elitists will claim to speak for all tribes. A similar fear is that policymakers will stop listening to tribal leaders and only listen to the "Indian Think Tank". Another is that shoddy research which is harmful to tribes or provides misinformation will be produced .

In the past some of these fears have been warranted. For example, in 1992 when tribal courts legislation was one of the most contentious issues in Indian country, the National Policy Center produced a paper which was disseminated to over 100 tribal leaders. The paper attempted to provide the differences between the House and Senate bills in an objective manner. However, the paper stated that the amount authorized in the House bill was only $10 million when in fact the authorization level was over $60 million. This mistake tended to generate unwarranted opposition to the House bill and confusion in Indian country. In the end, no court bill passed during that Congress. Hence, this is the danger of misinformation.

There is also a fear that in an age of drastic cuts to Indian appropriations, this Policy Center may not be a prudent means to spend money. There have also been unsupported allegations, in the past that the Center was utilizing funds for non-policy activities and letting contracts which were never completed. I don't necessarily subscribe to those allegations, but many tribes have perceived the Center in the past as an entity that existed to filter money to DC consulting firms for work that had little or no bearing on Indian country.

Having stated these apprehensions and reservations, let me state some positive aspects of this measure in spite of my opposition to it in the past First, under the directorship of Bob Arnold, the Policy Center has become a valuable source of information to all tribes. During the recent crisis period when appropriations were being slashed and tribal gaming was being threatened with taxation, the Center faxed solid information out to Indian country on a regular basis, Indeed, this was the finest hour of our Indian institutions. The National Congress of American Indians organized the massive lobbying effort, and the Policy Center, much maligned in the past, provided a steady stream of information to Indian country throughout the appropriations process. For smaller tribes who can't afford lobbyists, the Policy Center and NCAI were the only sources of information.

After this crisis, I saw how the Policy and Information Center might be able to play a role in Indian country. If the proper checks and balances are placed upon

the Center [many of these are now included in sections 5, 6, and 9], if excellent staff people such as Bob Arnold are allowed to run the Center under the control of tribal leader, if the Center is precluded from advocating positions which are contentious [as in section 9], and if the Center is precluded from speaking for Indian country [also in section 9], then it may be a viable idea.

The Mille Lacs Band will support this measure under the following conditions:

No. 1, endowment. An endowment fund should be provided for in the legislation. Donations would be solicited from tribes, individuals and institutions. Within 5 years, the Center would be run, in large part, by contributions.

No. 2, competition for location. Institutions, reservations, universities, colleges, and tribal community colleges should compete for the location of the Center. Special consideration should be given to the institution with the longest-term proposed monetary commitment, the largest monetary commitment and other factors such as the proximity to Indian country should be considered.

No. 3, mission statement. The bill should require that within 90 days of the appointment of the Board for the Center, the Mission Statement of the Policy and Information Center should be developed by the National Congress of American Indians in cooperation with the Board.

No. 4, NCAI involvement. The Center's Board should include a representative of the National Congress of American Indians. This will ensure additional accountability to Indian country and provide some unity of purpose for the two organizations.

No. 5, Thomas substitute. When Senator Craig Thomas was the Ranking Minority member of the U.S. House Subcommittee on Native American Affairs, he offered a viable substitute to the Policy Center bill. We would like to see that substitute as part of the discussion of this bill. The substitute and the discussions of the subcommittee can be obtained by contacting the House Committee on Resources and asking for the archival file on the bill which was introduced in the last Congress.

No. 6, phasing out appropriations. During the 5 years of Federal funding, Federal appropriations should incrementally decrease after the second year. By the fifth year, the Center should run at least 50 percent on contributions.

No. 7, tribal projects. The Center should provide technical assistance to tribal research projects, and the bill should emphasize the initiation of research by tribes in section 5(b).

No. 8, multi-year report. We would like to see a report by either the General Accounting Office or the Office of the Inspector General for the Department of Health and Human Services on the history of the Center's operation and how the legislation has improved the Center.

The Mille Lacs Band still sees some potential for abuse of this entity if a new director come in with his or her own agenda. However, as Indian country is now in a time of crisis, we need national institutions to support sovereignty, protect treaty rights, preserve the trust responsibility, and provide us with information to fight our battles.

In the past I have vehemently opposed the Policy Center, but if the Committee looks at our recommendations, and if the Center remains fully accountable to tribal leaders, and if a plan is implemented whereby the Center will eventually not take so much from Federal appropriations, then the Mille Lacs Band may reluctantly support it.

In answer to Senator McCain's two Questions: First, is S. 1159 a wise way to spend scarce Federal dollars? Indian tribes are now engaged in the moral equivalent of war with the Republican Congress. While we have many Republican friends like you Senator McCain, there are others who appear to be seeking to terminate tribes. In political war, the only ammunition one has is information. Indian country needs quick and accurate information to survive. Information purported to be factual has been used by our enemies, information which was not correct was sometimes used by our friends. We need accurate, factual information to fight the battle waged upon us by 104th Congress and the next Congress. In one sense we would rather see an extra million dollars go to health care services, but what good is that if Congress or the administration is saying there is not a Federal trust responsibility to provide health care to Indians? We are fighting for what were once self-evident tenets of Federal Indian policy. In any other year, I would say this Policy Center is a bad use of money, but now tribes need to build machines of war.

Second, could the work of the Policy Center be accomplished through existing intertribal organizations? The National Congress of American Indians has three staff people to perform work for over 180 tribes. Do they have time to do research? Probably not. I think if you look at the plan I have outlined above, it includes NCAI involvement in this process, a phasing out of Federal appropriations, and a self-endowment fund for the Center. I believe that this entity will be a complement to existing inter-tribal institutions.

Thank you for the opportunity to comment on this important measure.

Sincerely,

MARGE ANDERSON, *Chief Executive*

UNITED SOUTH AND EASTERN TRIBES, INC.,
Nashville, TN, November 20, 1995.

Hon. JOHN MCCAIN,
Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: As President of the United South and Eastern Tribes [USET] I want to express to you USET's full support of S. 1159 authorizing the chartering of an American Indian Policy Information Center located at George Washington University. I believe that the demonstration project funded for the past 4 years through the Administration for Native Americans and George Washington University has proven invaluable to Indian nations and has provided substantial evidence of the need for a policy organization in Indian country.

First and foremost, is the need for Indian tribes, as sovereign nations to foster their working relationships with the various components of the Federal Government, as well as other State and local governments whose policies and resource allocations impact Indian people on a daily basis. It is difficult and time consuming for an Indian nation to track the many layers of changes occurring which have immediate, and sometimes negative consequences for the provision of services to Indian people. The most obvious example of this is the contemplated and legislated changes to funding allocations and federal policies taking place within this session of Congress. Indian leaders need timely, accurate, objective information in order to make policy decisions for their nations, and the National Indian Policy Information Center now provides this service through faxes and mail to Indian nations. Staff in USET and my own Nation rely upon these bulletins and special reports analyzing fast-breaking Congressional activity to create policy analyses and plans of action for their leadership. It is beyond the capacity of the vast majority of Indian nations and regional organizations to have sufficient staffing for this type of data collection and analysis.

The research and analysis that occurs within an Indian policy think tank should be comprehensive, holistic, and focused. The tribes are dependent upon the creation of a resource bank that observes and documents both existing situations, but also provides projections for future policy in Indian Country. This should include the ability to provide technical assistance, disseminate timely, unbiased information and reports, and to provide for the specific research needs of Indian nations in the development of their own policies.

A second audience is Federal and State agencies who need to have access to objective and complete information to use in support of Indian programs they administer and to more accurately understand and document the needs within Indian country. Working in consultation with Indian nations, Federal, State, and local agencies can develop more effective policy and programs when there is comprehensive research and visionary policy options for the consultation process.

A third audience is the non-Indian world of those organizations and individuals who have incomplete and/or inaccurate perceptions of Indian country. In order for Indian people to reach their full potential as individuals and as sovereign nations, an extensive and ongoing education process needs to occur based on thorough, reliable research that supports the pursuit of their dreams as evidenced through far-reaching policy in the areas of self-governance, economic development, natural resources, education, cultural rights, law and the administration of justice.

The location of this center at George Washington University in Washington, DC is beneficial in two ways: For access to the resources of the university itself, and for the proximity to Congress and Federal agencies allowing all Indian nations access to the daily rhythms and activities of these policymaking bodies. In conclusion, I urge your strong support for S.1159 authorizing the establishment, through a charter, of the American Indian Policy Information Center.

Sincerely,

KELLER GEORGE, *President.*

POARCH BAND OF CREEK INDIANS,
TRIBAL OFFICES,
Atmore, AL, November 21, 1995.

Hon. JOHN MCCAIN,
Chairman, Committee on Indian Affairs,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN: I am writing in response to your request that I provide the Committee on Indian Affairs my responses to your questions following the hearing on S. 1159, a bill which would authorize the National Indian Policy Information Center.

I am very supportive of the National Indian Policy Information Center and I think it is a very efficient way to spend appropriated Federal dollars for the benefit of Indians. The dissemination of vital information is critical to assist tribal governments to become more efficient and more involved in policy, laws, and regulations affecting Indian tribes. As you are aware, there is not an existing centralized source of this type of information in Indian country.

The National Indian Policy Information Center [Policy Center] is an exemplary organization and the services that it can provide to the Indian tribes are a step above regional/area inter-tribal organizations. My opinion is that the Policy Center is essential for serving as a centralized source of policy analization, information and communication. I feel that tribes will utilize the services due to the fact that the Policy Center looks at the "broad picture" as regional/area inter-tribal organizations are focused on their respective areas and issues.

Please convey to the Committee my support of the authorization of the National Indian Policy Information Center both as a Tribal Leader and as a taxpayer. On behalf of the Poarch Creek Indians, thank you for seeking tribal opinion regarding this important matter. Please feel free to contact me if I can provide additional information.

Sincerely,

EDDIE L. TULLIS, *Tribal Chairman.*

Statement of W. Ron Allen

Co-chair, National Indian Policy Center

Chairman, Jamestown S'Klallam Tribe

Before the Committee on Indian Affairs, U.S. Senate

November 7, 1995

As co-chair of the Planning Committee for the National Indian Policy Center, I want to express my appreciation and that of the Committee members to you for scheduling today's hearing. In this year of major policy change, it is appropriate and timely that the establishment of an American Indian Policy Information Center, the objective of S. 1159, be the subject of consideration.

Mr. Chairman, your bill is important to American Indians and Alaska Natives, but we think it is important also to America, because the rest of America cares about the future and welfare of Indian communities, and we believe the proposed Policy Information Center can make very important contributions to that future.

By enacting S. 1159, the Congress would be ensuring the continuation of activities that we have begun four years ago and that we believe are of substantial value to tribal governments, and the expansion of our activities to make the Center of increasing value to the Congress, federal and state agencies, and others who need Indian policy information. Its enactment would replace the current demonstration project with an American Indian

Policy Information Center of continuing duration.

It is our progress as a demonstration project that we have sought to describe in our just-completed report, "Pursuing the Clearinghouse Goal," a copy of which I have submitted to the Committee with my testimony. That report, to which I'll return in a moment, reflects our efforts to respond to views expressed in the past by members of the Indian Affairs Committee and the views of Indian Country, and it also reflects what is envisioned in the proposed legislation.

For the benefit of the Committee, and other witnesses as well, what may be most helpful now would be for me to describe the currently existing organization of the National Indian Policy Center. Despite the expansiveness of its name, the Policy Center is a small organization -- employing only four full-time persons. The Center is funded through a cooperative agreement with the Administration for Native Americans, whose goal, as Congress is aware, is to encourage economic and social self sufficiency of American Indians and other Native Americans. Our host institution, the George Washington University provides matching funds of 20 percent. Our current grant was made in February, 1994, and with the recently approved six-month extension, will end in March, 1996.

The Planning Committee, which I co-chair with Dr. Irwin Price of the University, and which is made up of fifteen tribal leaders and representatives of American Indian and Alaska Native organizations, provides direction to the Center's activities.

The developmental character of the current Center was set out in authorizing legislation, and it is our experience in commissioning research, conducting forums and disseminating information that informs our support for the bill that is the subject of today's hearing. Out of our experience, for instance, we have refined our statement of central purpose resembling the language of S. 1159: to make information and analyses available to tribal and other governments that would not otherwise be readily available to them, and to sponsor forums and research toward the accomplishment of that purpose.

Consistent with that purpose, as we disclose in the report accompanying my testimony, we expanded our use of broadcast fax to reach 448 tribal governments each week -- disseminating information on policy changes being considered by the Congress, regulations proposed by federal agencies, hearings scheduled by the Senate and House, and policy documents and studies that may be of value to tribes. To reach the others, we put our memoranda in the mail. By these communications means, we have sought to overcome the scarcity of policy information in Indian Country, especially in those communities whose locations little served by newspapers, television, and radio.

In providing such information to tribes, I think I should note -- and this is consistent with the language of the proposed legislation -- the Policy Center does not advocate one policy view over another. We respect the right and responsibility of tribal governments and their organizations to perform that role.

To improve the Center's ability to respond to questions that may be raised by Congressional staff or federal or state agencies, we have made gains this year in assembling current statistics and recent policy studies -- again, seeking to be able to provide information not readily available otherwise.

To meet policy information gaps, the Center commissioned a number of substantial research projects last year, and some of them are currently being completed. In May, we published an important study of the implementation of the Clean Water Act by tribal governments, and there will soon be published a series of papers intended to be helpful in the implementation of the Native American Grave Protection and Repatriation Act and in the implementation of the Native American Languages Act of 1992. Other papers will soon follow, and we are pleased that S. 1159 explicitly authorizes the conduct of such research.

As the title and content of the report for 1995 tells, we have sought to pursue the objective of becoming an ever more fully informed clearinghouse by searching for and obtaining studies conducted by other institutions and information they have gathered. Needless to say, we haven't striven to collect <u>everything</u>, nor should we, but we have tried to learn who has what information that may be needed.

The Policy Center has a gopher site on the Internet, where users can obtain a wide range of census data on American Indians, names and addresses of tribal governments, texts of policy reports published by the Center, and other materials. In undertaking to revise our

menu, we are seeking to work with other Indian organizations having sites on the internet to avoid duplication and to take other steps to maximize the benefits to Indian Country.

I have recited some of our activities (and much more is described in the attached report) because these activities testify to the kind of benefits that may be expected from passage of S. 1159. Let me now conclude.

At least since 1975, U. S. Indian policy has been declared to be one of self-determination, and in the last seven years, that policy has evolved to one of self-governance. As a Tribal Chairman, let me say that these policies -- strengthened each year by work of the Committee on Indian Affairs -- are critical to the future welfare of American Indian and Alaska Native communities. But, unless their governments have the information they need to carry out the multiple tasks arising from the responsibilities of governance, those goals of U.S. policy will be dificult to achieve.

And, unless the Congress, federal agencies and states can obtain the policy-related information they need in a timely way, they may be handicapped in the framing of laws and regulations that serve their intentions well.

Pursuing the clearinghouse goal described in S. 1159 will be an important service to provide an information foundation for all formulators of Indian policy. I thank you for the opportunity to appear in support of the bill.

National Indian Policy Center
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September 30, 1995

PURSUING THE CLEARINGHOUSE GOAL

Report of
THE NATIONAL INDIAN POLICY CENTER
For Program Year 1995

Building upon its experiences as a developing institution over its first four years, the National Indian Policy Center in 1995 refined its statement of central purpose toward increasingly fuller accomplishment of its goal of being a clearinghouse of American Indian and Alaska Native policy data and information. On the basis of that definition, the Center expanded its collection of current documents and other materials, and extended its outreach to tribal governments and Indian organizations, research institutions, and state and federal agencies. The Center also gave support to three major policy forums and published the first of several research reports commissioned in 1994.

The statement of purpose adopted in 1995 defines the role of the Center more narrowly, but at the same time requires the Center to continue to broaden its collection of policy information resources: to make information and analyses available to tribal and other governments that would not otherwise be readily available to them, and to sponsor forums and research to accomplish that purpose.

AN EVOLVING INSTITUTION

Beginnings. The Policy Center was established by Congress in 1990 at The George Washington University in Washington, D.C., and was initially charged with determining

whether a federally chartered Indian policy research institution could provide Indian tribes, Congress, and federal agencies with information that would contribute to the development of sound Indian policies. It was and is governed by a planning committee of tribal leaders, representatives of Indian organizations, and Indian policy experts, and is funded through a cooperative agreement between the Administration for Native Americans in the U.S. Department of Health and Human Services and The George Washington University.

The Center began its work in December of 1990 by undertaking an extensive series of briefings and workshops across the country to solicit the views of Indian tribal representatives and organizations regarding the need for such a center. To assist in this effort, the Planning Committee created seven task forces comprised of tribal leaders, Indian policy experts, and Indian organization leaders. On the basis of their deliberations and their wide consultations, by 1992 the Center had produced and published two foundation documents -- one, a feasibility study, and the other, a set of recommendations for the establishment of a permanent Center. Although bills to establish the Center were not enacted pursuant to the recommendations, the Center was continued as a demonstration project through funding provided by the Administration for Native Americans, with additional support from The George Washington University.

Research reports. Beginning in 1991, the Center commissioned and published its first subject matter reports to demonstrate to the Congress and the Indian community the kinds of Indian policy issues that could be effectively addressed through policy research. By September of 1994, twenty-two reports had been published by the Center addressing issues identified by task forces or requested by Indian organizations.

Some of the reports, such as a study of the impact of proposed amendments to the American Indian Religious Freedom Act, were intended to address pending legislation and, as such, were in high demand until the 103rd Congress adjourned without acting upon the amendments. Other reports, however, have been of sustained interest and demand. These include studies of reservation-based gaming, tribal perspectives on the Impact Aid program, and tribal-state tax conflicts. A 1993 survey of tribal journalists and leaders identified information needs in Indian country that helped shape the current role of the Policy Center.

Information on-line. In 1993 the Center established a gopher site on the George Washington University communications system, and by October of 1994, the clearinghouse databases included the 1980 and 1990 censuses of population and other characteristics of American Indians and Alaska Natives, names and addresses of federally recognized tribal governments, lists of Indian and Alaska Native organizations and their addresses, texts of reports commissioned by the Center, a calendar of major upcoming Indian meetings, and gateways to other sites on the Internet. During a single six-month period more than eight thousand users accessed the databases.

ACCOMPLISHMENTS, 1995

In 1995 the Center's principal innovation was the inauguration of a memorandum sent by fax or mail each week to tribal governments and American Indian and Alaska Native organizations to inform them of emerging national policy issues, court decisions, federal rulemaking, and publications and materials of likely interest. In support of this effort, the Center expanded its networking with other organizations involved in Indian policy research and its collection of policy-related data and information. The Center began to restructure its online information base, and to explore how the Center should work with other Internet providers to maximize the benefit of the Internet to Indian country. The Center also published a major report on tribal implementation of the Clean Water Act, and the Center is now engaged in completion or review of other reports commissioned in 1994. In this period, the Center also provided data and policy information for distribution at three major Indian policy forums.

Providing policy-related information to tribal governments

Fax memoranda Although the Policy Center had used broadcast fax and the postal service to provide information to tribal governments before 1995, there were three reasons for the inauguration this year of a series of periodic memoranda for tribal governments and the use of broadcast fax to reach most of them. First, tribal leaders and tribal communicators surveyed had said the most practical value of a national clearinghouse would be one that provided information on national legislation, actions of federal agencies, and university research, and news stories on Indian policy. Second, the convening of the 104th

Congress led to the announcement of first hearings before the Senate Committee on Indian Affairs and the introduction of new legislation. And third, only 18 tribes of 155 responding to a Center survey said they had computer access to the Internet. As the scope of Congressional activity widened, what had begun as an irregularly periodic memorandum broadcast fax to 448 tribal governments and mailed to 104 others became a weekly, and other American Indian and Alaska Native organizations were added to the distribution.

Concurrent with the development of the weekly policy memoranda for tribal governments, the Center engaged in aggressive outreach to other Indian organizations, research institutes, state commissions on Indians, and other sources of policy information of prospective value.

The weekly one-page memoranda provide tribal governments with concise reports on the status of Congressional legislation, notices from the *Federal Register*, announcements of upcoming meetings, and notices of the availability of policy-related publications. The memoranda inform them that they may obtain additional information from the Policy Center upon request, from their members of Congress, from federal agencies, or from other sources. The Center also offers to answer questions or to direct questioners to persons or agencies that can provide answers. Documents or other materials are provided without cost to the tribal governments or other organizations.

The content of the memoranda sent to tribal governments is strictly informational, neither advocating or opposing bills or regulations or their provisions, leaving those roles to tribal governments and their advocacy organizations. Materials authored by others but made available by the Center may, however, reflect the views of their authoring members of the Congress, cabinet officials, or advocacy organizations.

To obtain continuing advice from tribal governments on their policy information needs, the Center invites all who request materials to identify policy information needs that the Center should be addressing.

Proposed legislation. An illustration of approaches the Center took toward an emerging policy issue is the case of welfare reform. From March through September of 1995, the Center devoted 12 memoranda citations to the proposed block grant legislation, and the potential impacts upon Indian tribes and communities. In March, the Center informed tribal governments that the bills provided for the transformation of many familiar programs -- Aid to Families with Dependent Children, child care and welfare programs, aid for disabled children, and school lunch programs -- into block grants for the states. In succeeding months, the memos reported on the formation of a welfare reform working group of Indian tribes, tribal organizations, and their Washington, D.C. representatives and its preliminary conclusions, informed them that an amendment had been drafted by the Chairman of the Senate Committee on Indian Affairs and informed them of his request for comments on the draft, offered analyses prepared by federal agencies and other authors, and offered testimony tribal governments had delivered at a hearing on the subject. Later memoranda advised tribal governments that an Indian amendment had been incorporated into the final version of the bill, but that an amendment to set aside a fixed percentage for tribes had been rejected by the Senate.

Federal rulemaking. A second kind of policy information communicated through the weekly memoranda is information from the *Federal Register*. Beginning in June of 1995, Center staff employed Internet to access the *Federal Register* to discover any federal rulemaking that might affect or be of interest to tribal governments. Once a notice is identified, the Center advises tribes of the proposed or final regulations affecting them or reports that funds are available for certain categories of activity. Upon the request of a tribe, the Center will make print copies of *Federal Register* notices available to them by facsimile device or by mail. Three recent examples were notices of proposed regulations for unidentified human remains under the Native American Grave Protection and Repatriation Act, the availability of funds for certain Indian education grants, and final forestry regulations of the Bureau of Indian Affairs.

As with pending legislation, the Center does not evaluate proposed regulations, leaving that role to tribal governments and advocacy organizations.

Research reports. Another way in which the weekly memoranda effectively inform tribal governments of prospectively valuable information is by announcing the availability of recent publications produced by other institutes or organizations, as well as those produced by the Center itself. Among the publications of special interest in 1995 were the following publications:

- The Mille Lacs band of Ojibwe publication, *The Permanent Tribal Self-Governance Law*, a reprint of Title II of P.L. 103-413, its legislative history, and a comparison of it with prior law;
- The Office of Technology Assessment report, *Telecommunications Technology and Native Americans: Opportunities and Challenges*, the first federal government report to explore the implications of telecommunications technology for Native American communities;
- The American Psychological Association bibliography, *North American Indians and Alaska Natives: Abstracts of the Psychological and Behavior Literature, 1967-1994*, a rich resource for persons shaping Indian policy, especially on education or social issues; and

  The Policy Center's own commissioned study, *Survey of Tribal Actions to Protect Water Quality and the Implementation of the Clean Water Act*, a comprehensive report of a survey of over 200 tribal governments.

Coming events. A fourth kind of information communicated by the weekly memoranda are announcements of Congressional hearings as they are scheduled and conferences called by American Indian and Alaska Native organizations on policy issues.

Summary. By their response to the weekly memoranda, tribal governments have demonstrated that the policy information offered is of value to them. In the first five months, 135 tribes requested and received 577 documents from the Center. Typical of the notes of appreciation received by the Center was the fax from the Tribal Administrator of the Lower Sioux Indian Community in Minnesota: "We would like to thank you for all of the information we receive from your memos. Keep up the good work."

Providing information to other levels of government

In 1995 the Policy Center undertook to enlarge its collection of current documents, policy studies, and statistical data of prospective importance to state and federal agencies and to the Congress in order to perform a clearinghouse function for these other levels or branches of government.

In this undertaking, as with its services to tribal governments, the Center is seeking to identify and obtain only those policy information resources not readily available elsewhere. That goal implies that the Center must know what other institutions have and be prepared to refer questioners to those other institutions.

Other institutions. Accordingly, the Center obtained guides to the very extensive collection of Indian law and policy materials of the National Indian Law Library in Boulder, Colorado, and to the large collection of materials of the Native American Research Information Service at Norman, Oklahoma. Center staff also are informed of specialized collections, such as current materials on indigenous peoples elsewhere in the world at the National Indian Law Center in Helena, Montana, and Washington, D. C., and of the general collections of Native American studies centers at several universities.

State commissions on Indians. Through outreach to state commissions on Indians, the Center is at once becoming informed of important data and information on Indian populations within their states and providing information upon request to the commissions.

Congress. Requests from Congressional offices were not numerous during this year, but materials were provided on social and economic circumstances of American Indians and Alaska Natives, on the acreage given up by tribes since the arrival of Europeans, a tabulation of trust acreage by state, and inquiries about what Indian organizations to call for specific kinds of information. Such requests may be expected to continue to increase as the resources of the Policy Center become better known.

Federal agencies. Similarly, federal agency requests were relatively few in number, even though information about American Indians is scarce in many agencies. In 1995, the Center provided factual information or documents to, among others, the Office of Management and Budget, the Environmental Protection Agency, the Office of Surface Mining, the Congressional Research Service, and, on one occasion, the Bureau of Indian Affairs.

Providing policy information to others

Although policy-related documents were mailed upon request to scholars and students, it is the Center's site on the Internet that is the source of most of the information they receive. As 1995 was drawing to a close, the Policy Center was restructuring its menu and exploring with other Indian organizations how cooperative action might maximize the benefits of the sites to Indian country.

COMMISSIONING AND PUBLISHING RESEARCH

Clean Water Act study. Of the sixteen papers commissioned by the Policy Center in 1944, the first to be published was *Survey of Tribal Actions to Protect Water Quality and the Implementation of the Clean Water Act*. Although copies of a draft of this report, prepared by Gover, Stetson, and Williams, P.C., were reproduced for use at a major water policy conference late in 1994, the final version was published in May, 1995. Over one thousand copies were distributed to tribal governments, organizations, agencies, and persons. This survey of over 200 tribal governments disclosed that at least 101 tribes and the Environmental Protection Agency were involved in 1994 in a wide range of water quality protection initiatives, but the slow pace of development had left many tribes essentially unprotected from water pollution; and that, where implemented, Section 518 of the Clean Water Act has enabled tribes to improve water quality on their reservations. The authors found no evidence that tribes were applying regulatory authority unfairly in any way.

Publication of the report was considered timely, inasmuch as the 104th Congress was considering reauthorization of the Clean Water Act and changes were being proposed to Section 518.

NAGPRA. Five papers commissioned by the Center were being prepared for publication in September 1995. The papers, which are to be published by the American Indian Ritual Object Repatriation Foundation as part of a larger volume, are:

The Native American Graves Protection and Repatriation Act, by Jack S. Trope, Esq.;
Repatriation Options and Process under the NAGPRA, by Rosita Worl (Tlingit);
Building a Tribal Repatriation Program: Options for Exercising Sovereignty, by Dean B. Suagee, Esq. (Cherokee);
Museum Perspectives from Within: A Native View, by B. Lynne Harlan (Cherokee);
Reflections of a Native American Repatriator, by Richard Hill, Sr. (Tuscarora).

Other papers. Most of the other research commissioned by the Center was awaiting editorial review before publication, but three had not been completed as the program year ended. These nine papers are:

Civil Rights in Indian Country - Tribal Court Decisions 1988-92, by Jane Marx, Esq.;
Federal Role in the Development and Use of Tribal Governing Documents, by Ellen R. Kemper, Esq.;
Long Term Care for Tribal Elders, by the National Indian Council on Aging;
Native Language Communities: A Descriptive Study of Two Community Efforts to Preserve Their Native Language, by Christine Sims (Acoma Pueblo);
A Review Assessment of the Impact of Health and Human Service Codes and Regulations of American Indian and Alaska Native Nations, by Carol Chiago Lujan; Ph.D. (Navajo);
Schools, Parents, and Tribes: Partnership for Indian Student Success, by the American Indian Research and Development, Inc.;

Federal Financing Opportunities for Economic Development in Indian Country, by Gover, Stetson, and Williams, P.C.;

Tribal Court Study, by Rochelle Ducheneaux and Associates;

Federal Responsibility in Indian Education, by Suzan Shown Harjo (Muskogee Creek);

History of the Administration of Indian Affairs Responsibilities in the U.S. Congress, by Suzan Shown Harjo (Muskogee Creek).

Owing to limited funding and the uncertain duration of the Policy Center's life, additional research had not been commissioned through the end of the program year.

Sponsoring or supporting forums on policy issues

Although no forums were directly sponsored by the Policy Center during 1995, the Center provided copies of publications and materials relevant to the focus of policy conferences sponsored by the National Advisory Council on Indian Education/the National Indian Education Association/the National Congress of American Indians; the National Tribal Environmental Council; and by the American Indian Resources Institute/National Congress of American Indians. The Center also provided limited logistical support.

THE POLICY CENTER'S FUTURE

In September, 1995, the Policy Center's request for a no-cost extension of its 1994 grant was approved by the Administration for Native Americans for a period ending March 31, 1996. Future activities will be dependent upon acquisition of additional funding, and such funding may be dependent upon enactment of authorizing legislation.

In June, 1995, the National Congress of American Indians adopted a resolution urging the introduction of legislation to establish an American Indian Policy Information Center as a successor to the present National Indian Policy Center, and in August, Senator Daniel K. Inouye introduced a bill to establish such a Center. His bill, S. 1159, was co-sponsored by Senators Ben Nighthorse Campbell, Kent Conrad, and Paul Simon.

The functions provided for in the bill are those the Center has been performing. Governance of the new Center would be lodged in a board of directors of fifteen persons, twelve of whom would be tribal leaders named from each of the Bureau of Indian Affairs administrative areas, to be appointed by the Secretary of Health and Human Services. The Center would continued to be located at the George Washington University for a two-year period, at which time the directors would consider a new host institution.

Consistent with policy for the current National Indian Policy Center, the proposed American Indian Policy Information Center would be prohibited from advocating policy positions or taking actions that might be construed as interfering with the government-to-government relationship of tribes to the Federal government.

The Planning Committee of the current Center was consulted by Senator Inouye in the development of S. 1159, and supports its enactment. Members of the Planning Committee are:

W. Ron Allen, Jamestown S'Klallam
Lorena Zah-Bahe, Navajo
Joe Byrd, Cherokee
gaiashkibos, Lac Courte Oreilles
Keller George, Oneida
David Lester, Creek
Virgil Moorehead, Big Lagoon Rancheria
Michael Pablo, Confederated Salish and Kootenai
Regis Pecos, Cochiti Pueblo
Margarett Perez, Ft. Peck Assiniboine
Irwin Price, GW University
Lois Risling, Hoopa Valley
Karen Swisher, Standing Rock Sioux
Edward Thomas, Tlingit
Eddie Tullis, Poarch Band of Creek
Susan Williams, Sisseton Dakota

National Congress of American Indians

30 November 1995

Executive Committee

President
gaiashkibos
Chippewa

First Vice President
Susan Masten
Yurok

Recording Secretary
S. Diane Kelley
Cherokee

Treasurer
Mary Ann Antone
Tohono O'odham

Area Vice Presidents

Aberdeen Area
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Standing Rock Sioux

Albuquerque Area
Charles J. Dorame
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Anadarko Area
Merle Boyd
Sac & Fox

Billings Area
John Sunchild, Sr.
Chippewa Cree

Juneau Area
Willie Kasayulie
Yup'ik

Minneapolis Area
Marge Anderson
Mille Lacs Ojibwe

Muskogee Area
Rena Duncan
Chickasaw

Northeast Area
Keller George
Oneida

Phoenix Area
Irene C. Cuch
Northern Ute

Portland Area
Bruce Wynne
Spokane

Sacramento Area
Hank Murphy
Sycuan

Southeast Area
A. Bruce Jones
Lumbee

Executive Director
JoAnn K. Chase
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The Honorable John McCain, Chairman
Committee on Indian Affairs
United States Senate - 838 SHOB
Washington, D.C. 20510

Re: NCAI Support for an American Indian Policy Information Center

Dear Chairman McCain:

On behalf of the National Congress of American Indians (NCAI) I am writing to urge the Committee on Indian Affairs to favorably report S.1159, a bill to create the "American Indian Policy Information Center". Our member tribes have supported S.1159, and on 3 November they passed a resolution urging enactment of this legislation. I have enclosed a copy of the resolution for your consideration. As you know, NCAI is an advocacy organization dedicated to the preservation and sovereignty of tribal governments and Indian people. In past years, we have relied on and benefitted from the myriad activities, functions, and publications provided by the National Indian Policy Center (NIPC). We laud the work generated by the NIPC and encourage a continuation of this work in the form of the proposed Policy Information Center.

These are extraordinarily turbulent times for Indian tribes, Mr. Chairman, and it imperative that Indian country have at its disposal the kind of entity envisioned by S.1159 to provide thoughtful policy papers, analyses, and other types of original Indian-related research. The relatively small federal outlay to fund the AIPIC will generate returns to tribes and tribal organizations for years to come. On behalf of our tribes we commend S.1159 to the Committee and urge your support of this crucial legislation as well. Please feel free to contact me or Paul Moorehead of my staff if you have questions.

Sincerely,

JoAnn K. Chase
Executive Director

cc All Members - Indian Affairs Committee
Enclosures

National Congress of American Indians

Executive Committee

President
garashkibos
Chippewa

First Vice President
Susan Masten
Yurok

Recording Secretary
S. Diane Kelley
Cherokee

Treasurer
Mary Ann Antone
Tohono O'odham

Area Vice Presidents

Aberdeen Area
Ken Billingsley
Standing Rock Sioux

Albuquerque Area
Charles J. Dorame
Tesuque Pueblo

Anadarko Area
Merle Boyd
Sac & Fox

Billings Area
John Sunchild, Sr.
Chippewa Cree

Juneau Area
Willie Kasayulie
Yup'ik

Minneapolis Area
Marge Anderson
Mille Lacs Ojibwe

Muskogee Area
Rena Duncan
Chickasaw

Northeast Area
Keller George
Oneida

Phoenix Area
Irene C. Cuch
Northern Ute

Portland Area
Bruce Wynne
Spokane

Sacramento Area
Hank Murphy
Sycuan

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Resolution SD-95-005

Title: A Resolution Urging the Congress to Enact S. 1159 to Establish an American Indian Policy Information Center

WHEREAS, we the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) is the oldest and largest national organization established in 1944 and comprised of representatives of and advocates for national, regional, and local Tribal concerns; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of NCAI; and

WHEREAS, the National Congress of American Indians adopted Resolution SPK-95-049 in June, 1995, urging the introduction of a bill to establish an American Indian Policy Information Center as a successor to the National Indian Policy Center, and

WHEREAS, it is important that the activities of the National Indian Policy Center be continued, such as meeting the needs of tribal governments for information and analyses by disseminating timely policy-related information, by commissioning and publishing original research, and by sponsoring forums on policy issues; and

WHEREAS, on August 11, 1995, Senator Daniel K. Inouye, joined by Senators Ben Nighthorse Campbell, Kent Conrad, and Paul Simon, introduced S. 1159, a bill to establish an American Indian Policy Information Center; and

WHEREAS, the tribal leaders who make up the governing board of the National Indian Policy Center endorse and support the proposed bill; and

WHEREAS, the provisions of S. 1159 reflect the broad recommendations of NCAI in Resolution SPK-95-049 regarding the functions and responsibilities of such a Center; and

WHEREAS,the valuable services of the current Center are funded only through March 31, 1996, and continuation of the services is likely to be dependent upon enactment of S. 1159.

NOW THEREFORE BE IT RESOLVED that the National Congress of American Indians does hereby urge the Congress to enact legislation to establish an American Indian Policy Center as provided in S. 1159, and urges the NCAI President to give his support for such legislation.

CERTIFICATION

The foregoing resolution was adopted at the 1995 Annual Convention of the National Congress of American Indians, held at the Town and Country Hotel in San Diego, California, on October 29 - November 3, 1995 with a quorum present.

_____

W. Ron Allen, President

ATTEST:

_____

S. Diane Kelley, Recording Secretary

Adopted by the General Assembly during the 1995 Annual Convention of the National Congress of American Indians, held at the Town and Country Hotel in San Diego, California, on October 29 - November 3, 1995.

THE
NAVAJO
NATION

P.O. BOX 9000 • WINDOW ROCK, ARIZONA 86515 • (520) 871-6000

ALBERT A. HALE
PRESIDENT

THOMAS E. ATCITTY
VICE PRESIDENT

November 28, 1995

The Honorable John S. McCain
Chairman
United States Senate
Committee on Indian Affairs
838 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator McCain:

Thank you for inviting me to present the views of the Navajo Nation on S. 1159, a bill to establish an American Indian Policy Information Center and for other purposes. I am sorry for not being able to be present at the November 7 hearing due to urgent matters in the Navajo Nation. However, the Navajo Nation appreciates the opportunity to submit in writing its views. We appreciate the goals of the committee in establishing a central information source to evaluate the effects of public policies and proposals on Native Americans.

Mr. Chairman, as always, thank you for your continued support on the advancement of improving the livelihood for Native Americans. We also extend appreciation to the George Washington University for its commitment and contribution for providing management, administrative and technical support to the National Indian Policy Center. The University's contribution to Indian country does not go unnoticed and we appreciate the support in housing the Center. The National Indian Policy Information Center as the predecessor to the American Indian Policy Center will fulfill a vital and important function in the development of an Indian information and Indian policy distribution center.

Responses to your letter of November 9

You asked the Navajo Nation to respond to two questions. You asked "whether the approach proposed in S.1159 would be a wise, efficient, or appropriate way to spend the scarce Federal funds appropriated for the benefit of Indians?" In these times when Indian Nations are once again subjected to challenges and attacks upon their legal status within the American federalism, it is even more important that there be a continuing flow of information to Indian Nations. The National Indian Policy Center has been funded by the Administration for Native Americans (ANA) whose goals are to improve economic and social self-determination and self-sufficiency. The work of the Policy Center is consistent with these goals by making policy information available to all Indian Nations. Indian Nations are handicapped in pursuing self-determination and self-sufficiency whenever reliable information is not readily available.

ANA receives $35 million dollars a year and the National Indian Policy Center's budget is only a fraction of a percent that would be used to support the proposed center. Therefore, a fraction of a percent budgeted the National Indian Policy Center is worth fighting for.

My answer to your second question of whether all the work of the proposed National Indian Policy Information Center would be accomplished through existing, intertribal organizations is no. Not all Indian Nations are members of Inter-tribal organizations. Not all Indian Nations have Washington offices. It would also be difficult for all Indian organizations to establish efficient information resources that all tribal governments would access simultaneously. No other conglomerate of existing Inter-tribal organizations have the technological interoperability and financial resources. It would cost just as much or more to develop, design and set up compatible technological resources while it would save time and funds to work with already existing resources located in a central environment.

National Indian Policy Center

The Navajo Nation supports this legislation because the Policy Center will continue the fine work of providing much needed policy-related information to tribal governments, the Congress and the federal agencies. The Policy Information Center will continue to provide reports to Indian country that would not otherwise be available to Tribes in a timely manner. Examples are the status of legislation being considered by the U.S. Congress, the announcements from Executive agencies, and information on court cases being decided by the U.S. Supreme Court. The Navajo Nation believes that the Policy Information Center should continue to provide information on activities that are important and essential to Indian country.

The Navajo Nation has benefitted from reports and policy recommendations that the Policy Center has produced over the last two years. These reports relating to tax issues, education, health, law, natural resources, cultural rights, and economic development have been very helpful not only to Navajo but to Indian country overall. The Policy Center's goal of gathering information and disseminating this data among federal agencies, congressional offices and Indian Nations will be a great service and contribution to Indian country - no other federal agency or tribal government currently performs this task. The Navajo Nation and other Tribes have contributed to the compilation of resources to the Policy Center and will continue to do so. The Center has also been very instrumental in providing data on appropriations legislation within the past few months. This is an example of document exchange and communications desperately needed. Indian country needs to have a centralized place where they can retrieve and disseminate accurate information.

The congressional appropriation and legislative process is an important function of government that can have significant and drastic impact on the American people and Indian Nations. The decisions by Congress must be based on accurate and reliable information. It is important that Congressional leaders have access to the best source of information possible. Examples are information on health, education and social services statistics, population count, Indian natural resources and Indian tourism. The Policy Information Center will serve as the vehicle for Indian Country to educate the Congress and the Federal agencies about who we are and what we are about.

Establishment of a Clearinghouse

Indian Nations are in dire need of a clearinghouse for our historical documents and our data where policy-related information can be compiled and retrieved -- an electronic clearinghouse that will provide information on a variety of issues. The clearinghouse can serve as a place of authority and credibility where Indian Nations can store their research materials and retrieve reliable comprehensive data upon which to base a sound Indian policy that reflects our desperate needs and

priorities. As an independent, nonpartisan institution, the Center will not be formulating policy but will be making research data, studies, economic statistics information and policy analysis available. Most of this accurate data will be contributed from Indian Country, not from erroneous census takers that distort statistical information. Indian Nations lose funding on a yearly basis due to inaccurate statistics taken by state governments.

Today, our historical and policy documents relating to our treaties, governments, important litigation issues and information on our culture are scattered among various agencies such as the Library of Congress, the National Archives, the Bureau of Indian Affairs, the Census Department, the General Accounting Office, etc. Due to the budget cuts, Congress will soon dismantle and restructure agencies and in the process, some of our irreplaceable documents will be lost in the reshuffling of the government. A centralized clearinghouse will serve the purpose of preserving these valuable historical information.

Mr. Chairman, there have been numerous studies done by archeologists, anthropologists and historians about our culture. It is time for Native Americans to start providing their own historical data, from their own account on their culture, religion and language before it is too late. Every day that an elderly Indian passes on, we lose precious resources. To save our culture and our tradition, Native Americans need to start feeding data into a centralized place to educate the public, the Congress, the federal government and other indigenous Nations seeking to have access to this information.

Tribal participation

The bill states that tribal governments should be involved in the development of Federal Indian law and policy. We agree. What better way to formulate policy than to utilizing the Indian Nations themselves rather than having the government formulate policy and asking the tribes to concur to these policies. The Indian Nations have proven their ability to govern themselves and should be given the opportunity to formulate policy that is sensitive to their culture, religion, language and heritage. Indian Nations have always exercised self-determination despite federal constraints and all we ask is that we be afforded the right to self-governance including the power to participate in the formulation of Indian and federal policy. Some Indian Nations still lack the financial resources and reporting tools necessary to govern themselves effectively but with the assistance of the Policy Information Center, Indian Nations can accomplish these things. We need to encourage all Indian Nations to pool their information resources with the Policy Information Center to ensure it has relevant information that will benefit all Indian Nations. Critical issues affecting one Indian Nation may affect a different Indian Nation tomorrow. Each Indian Nation has their unique problems but if Indian Nations unite to pool their information together, we will survive the threats to our Tribal Sovereignty. Indian Nations need to strengthen their Tribal involvement and relationship with the states and the federal governments to implement sound policy, and with the Policy Information Center's assistance, we can accomplish self-sufficiency and self-governance.

Online Opportunities

The Policy Center, in testimony before this Committee in 1993, pointed out two very important goals. One was to "provide on-line access to a variety of databases and promote the creation and dissemination of information on the conditions of American Indians." The other was to "help Indians and the federal and state governments make informed policy decisions." These are important goals that will immeasurably assist Indian Nations in rectifying the dismal Indian reservation conditions.

The Policy Information Center, when established, can assist the Indian Nations on how to access some of these basic technological services through its Internet homepage currently set up under the George Washington University. Such services can be the availability of grants from various federal agencies, availability of published notices and records, and other online services that provide online legislative tracking and online case law tracking such as Legi-Slate, Lexis/Nexis, and Westlaw. Our tribal governments will benefit from the improved access to a full range of information whether it is through the use of the powerful Internet, broadcast facsimiles or mailings. Many Indian Nations still do not have access to the Internet because of the lack of technical and financial resources.

However, there are many opportunities for Native Americans with respect to information technology. Through the use of file transfers, E-mail, the World Wide Web, the Internet is no longer just for engineers and scientists. Some Indian Nations already have access to this valuable tool and are using it to their advantage. Examples are telemedicine to deliver health care services, computer networking by gaming Tribes, telecommunications by satellite, teleconferencing in remote areas, Geographic Information Systems for compiling data on Indian lands, and distant learning centers used by Indian children. This should also be a place to find research papers and studies done by or about Native Americans. In the same breath, we need to establish a policy to protect our native cultural privacy with respect to the electronic environment. We do not want our most sacred songs and artifacts redistributed on the World Wide Web. There is no policy currently in place that protects our culture from being exploited with respect to the electronic medium.

We support continued inclusion of Section 5 (D) that states that "tribal government may impose any condition, limitation, or other restriction on the use or dissemination of any information or data made available by such tribal government." We interpret this to mean that the Policy Information Center, with the consent of a tribal government, will restrict certain data for distribution. This language is significant because it allows Indian Nations to decide what type of information will be released especially when it concern sensitive and confidential religious matters. Therefore, enforcement of the Freedom of Information that applies to federal agencies should not be applied to Indian Nations.

Establishment of an online database

The bill asks for the establishment of an electronic database as a function of the Policy Information Center. We recommend that the database be set up so that tribal governments can utilize it. The database should be designed to be compatible and interoperable with electronic systems already being used by Indian Nations. The database should be designed to be compatible with commercially available software products easily accessible on the current market that Indian Nations can afford. It would not benefit the Indian Nations if they are compelled to invest in expensive software and equipment just to tap into the resources. The database should be user-friendly, reliable, accurate and up-to-date.

Utilizing Native American experts

The Navajo Nation recommends that the Policy Information Center when established, make it a priority to work with existing tribal community colleges, universities and Indian Nations in its outreach for information and research relevant to the needs of the Federal government and the U.S. Congress. Tribal colleges are good resources of information about their own culture. In the past, over one-third of the Policy Center's budget has been set aside to retain the services of experts, writers and researchers. These services were delivered in the form of contracts, service

agreements and consulting agreements. Today, we have Indian individuals with the expertise appropriate to these tasks. We recommend that the Policy Information Center continue to seek out Indian experts. Native Americans are graduating with degrees more than ever before and should be given the opportunity to contribute their expertise back into the Indian community.

Relationship with Tribal Colleges

The Navajo Nation strongly encourages the Policy Information Center to enter contracts, memoranda of understanding, and agreements with Indian Nations through Tribal Colleges. The tribal colleges are very good resources of Indian-related information. For example, the Navajo Nation and the Navajo Community College have access to a vast source of information relating to Navajo culture, Navajo religion and Navajo language. Furthermore, the Navajo Nation has access to a variety of information compiled by the Navajo Nation Tourism Department, the Navajo Nation Museum, the Navajo Agricultural Products Industry, etc. Please know that our Navajo Community College and the Crownpoint Institute of Technology, as mentioned in your bill, have much to offer and are ready to offer any assistance that this Policy Information Center may require.

Board of Directors and Fees for Resources

The Navajo Nation supports the bill's language regarding the board of directors that will include tribal leaders from each of the twelve BIA area offices. The Policy Information Center should include a tribal leader represented from each area office[1] who will contribute their area's unique and diverse cultural heritage.

With respect to the section on charging nominal fees, the Navajo Nation supports the idea, if the prices are not too excessive. If fly-by-night authors can write books on Indian religion and rake in millions of dollars misinforming the public about Indian culture, we see nothing wrong with charging a nominal fee for accurate information provided by the Natives themselves. Some of these fees, hopefully, will be funneled back to provide information to Indian Nations that cannot afford to have access to these resources.

Conclusion

Mr. Chairman, the Navajo Nation full-heartedly supports the initiative that this Committee is attempting to accomplish in working with the Indian Nations, tribal organizations and the tribal colleges. The Navajo Nation will join in the effort to making this Policy Information Center a strong and viable institution that all Indian Nations can rely on for accurate and current information -- an institution that we can all be proud of. We view the Policy Information Center as an Intertribal exchange center -- a place where the Natives across this country can exchange information. Through the Policy Information Center, we can be assured that our children will have a place to collect historical information on their culture and other cultures as well. It will also be a place for other International Nations to learn about our culture, our language, our religion, and our history.

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[1]This assumes there will be 12 area offices, I assume if and when BIA reorganization occurs, this may be adjusted. If not, the bill should provide for representation that adequately addresses the broad spectrum of Indian organizations.

Thank for the opportunity to express the views of the Navajo Nation. If you should require additional information, please contact me at the above phone numbers.

Sincerely,

Albert Hale
President

cc: The Honorable Daniel K. Inouye
Vice-Chairman, Senate Committee on Indian Affairs
Thomas E. Atcitty, Vice-President, Navajo Nation
NNWO Chron

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GILA RIVER INDIAN COMMUN
SACATON, AZ

ADMINISTRATIVE OFFICES
P.O. Box 97
(602) 562-3311 or 963-4323

November 22, 1995

The Honorable John McCain, Chairman
Senate Committee on Indian Affairs
Senate Hart Office Building Room 838
Washington, D.C. 20510-6450

Dear Chairman McCain,

Thank you for the opportunity to respond to S. 1159 authorizing a National Indian Policy Information Center to be located in Washington, D.C. In response to the questions you posed, the Gila River Indian Community (the "Community") takes the position that a National Indian Policy Information Center is not necessary and does not wish to see the expenditure of Federal funds for its development.

Indian Communities across the country are in desperate need of funding for programs that would serve individual tribal members. The daily survival of some tribal members is dependent upon continued funding of such programs. In light of the astounding developments concerning the federal budget, the future for the programs upon which many poverty stricken Indians depend for daily survival is uncertain. It seems very unwise for the federal government to restrict spending for much needed programs upon which many people depend while spending sparse federal funds upon the creation of the National Indian Policy Information Center, a facility that would be located many miles away from the tribes the Center would proclaim to assist.

There are many inter-tribal organizations that tribes can become members of in order to attempt to accomplish what the Center proposes as its task. Much of the work the Center is designed to produce would simply duplicate the efforts of such organizations as the Inter-Tribal Council of Arizona. These types of organizations are created by the tribes for the benefit of the tribes and operate on both a local and national level. A National Indian Policy Center could not achieve service on both a local and national level.

The Community is in opposition to the development of a National Indian Policy Center and urges that the attempts to create such a facility be defeated. In short, the limited federal funds could be better spent.

Again, the Community thanks you for the opportunity to express its opinion on S. 1159. Your work for Indian people across the Nation is greatly appreciated. Should you need further assistance, please do not hesitate to contact me at 520/562-3311.

Sincerely,

GILA RIVER INDIAN COMMUNITY

Mary V. Thomas 11-22-95

Mary V. Thomas
Governor

BARBARA A. WARNER
EXECUTIVE DIRECTOR

FRANK KEATING
GOVERNOR

STATE OF OKLAHOMA
INDIAN AFFAIRS COMMISSION

November 7, 1995

Senate Indian Affairs Committee
Washington, D.C

Dear Committee Chairman & Members:

The Oklahoma Indian Affairs Commission (OIAC) is aware of the pending legislation of S. 1159 which would authorize the continuation of the activities of the National Indian Policy Center beyond March of 1996.

The OIAC is the liaison between the Executive and Legislative branches of the State of Oklahoma and the 39 tribal governments that lie within Oklahoma's borders and also provides information from national and federal sources to both the State and the tribes. To accomplish this function of our mission, it is essential that we network with local, state, regional, and national individuals and organizations to secure up-to-the-minute information regarding legislation and other data that would potentially affect Oklahoma or Oklahoma's tribal governments and thus enable our staff to respond to inquiries from Oklahoma's state and tribal leadership with expedience.

The National Indian Policy Center has been one of the primary sources of ongoing information that has enabled the OIAC to maintain a higher level of contact with federal issues that has, in turn, been disseminated to Oklahoma's Governor, Frank Keating, other elected officials, state committees, interim study committees, tribal governments, and other individuals and organizations. In addition to the weekly updates received by our office, the publications produced by the Policy Center have been invaluable to the OIAC as a resource and often used as supporting documentation for reports on Indian issues.

To say that the National Indian Policy Center is an important segment of our Commission's network would be an understatement. At a time when it is most important to maintain a connection with agencies on numerous federal issues and when all organizations have reduced budgets, having a central organization with whom to secure accurate and timely information is an important advantage.

4545 NORTH LINCOLN BOULEVARD, SUITE 282 • OKLAHOMA CITY, OKLA. 73105 • PHONE (405) 521-3828 • FAX (405) 521-6902

Mr. Bob Arnold, Interim Director for the Center, has been an integral source of information and was recently a panelist at a national conference sponsored by our office. Mr. Arnold not only provided our conference attendees with considerable information during his presentation, but also numerous resource materials relating to issues important to tribal governments. His willingness to participate in our conference, continued communication with our office, and prompt response to our inquiries is greatly appreciated and is characteristic of the cooperation rendered by Mr. Arnold and the staff of this organization.

The Oklahoma Indian Affairs Commission wholeheartedly supports the continuation of the National Indian Policy Center and applauds its staff on their exemplary performance in responding to the needs of our Commission with expediency and professionalism. We urge the Committee to support the Center so that they may continue to be an integral resource to State and tribal governments.

Sincerely,

OKLAHOMA INDIAN AFFAIRS COMMISSION

Barbara Warner

Barbara A. Warner, Executive Director

cc: Governor Frank Keating
Secretary of State, Tom Cole
Oklahoma Congressional Delegation

NATIONAL INDIAN EDUCATION ASSOCIATION

121 ORONOCO STREET
ALEXANDRIA, VA 22314
PH. (703) 838-2870
FAX (703) 838-1620

December 11, 1995

The Honorable Senator John McCain
Chairman
Senate Committee on Indian Affairs
838 Hart Building
Washington, DC 20510

Dear Chairman McCain:

On behalf of the Board of Directors and membership of the National Indian Education Association (NIEA) I am pleased to submit the attached resolution No. 95-13 which supports S. 1159, a bill which would establish the American Indian Policy Information Center as a successor to the National Indian Policy Center.

I understand that your Committee will be considering this measure tomorrow and I urge your support of this bill.

Please give our office a call if you have any questions regarding this action.

Sincerely,

Lorraine P. Edmo
Executive Director

cc: Members of Senate Committee
on Indian Affairs

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NATIONAL INDIAN EDUCATION ASSOCIATION

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RESOLUTION: 95-13

TITLE: A Resolution Urging the Congress to Enact S. 1159 to Establish an American Indian Policy Information Center.

WHEREAS, the Senate bill S. 1159 has been introduced in the United States Congress urging the establishment of an American Indian Policy Information Center as a successor to the National Indian Policy Center, and

WHEREAS, it is important that the activities of the National Indian Policy Center, such as meeting the needs of tribal governments for information and analyses by disseminating timely policy-related information, by commissioning and publishing original research, and by sponsoring forums on policy issues be continued, and

WHEREAS, on August 11, 1995, Senator Daniel K. Inouye, joined by Senators Ben Nighthorse Campbell, Kent Conrad, and Paul Simon, introduced S. 1159, a bill to establish an American Indian Policy Information Center, and

WHEREAS, the tribal leaders who make up the governing board of the National Indian Policy Center endorse and support the proposed bill, and

WHEREAS, the provisions of S. 1159 reflect the broad recommendations of NCAI Resolution SPK-95-409 regarding the functions and responsibilities of such a Center, and

WHEREAS, the valuable services of the current Center are funded only through March 31, 1996, and continuation of the services is likely to be dependent upon enactment of S. 1159.

NOW THEREFORE BE IT RESOLVED THAT THE NATIONAL INDIAN EDUCATION ASSOCIATION does hereby urge the Congress to enact legislation to establish an American Indian Policy Center as provided in S. 1159, and urges the President to give his support for such legislation.

SUBMITTED BY: Lorraine P. Edmo

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered and passed by the NIEA membership assembled at its annual convention in Tucson, Arizona, at which a quorum was present, during the meeting held November 11-15, 1995.

Lorena Zah Bahe

Lorena Zah Bahe, 1994-1995 President,
National Indian Education Association

ISBN 0-16-052393-1